Supreme Court, U.S.
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No. _____

In The

Supreme Court of the United States

Anthony P. Keyter

Petitioner

versus

McCain, et al.

Respondents

On Petition for Writ of Certiorari To The United States Court of Appeals for the 9th Circuit

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PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Question 1

The Appeals Court fraudulently found that it is not the Respondents or their co-conspirators, but in fact *the state* which is liable for injuries caused by the crimes and common law violations of the Respondents. Is it *the state,* or indeed the individual officials, who are accountable for the injuries caused by the crimes committed by these senior officials?

Question 2

Can the Court of Appeals legally affirm a manifestly illegal judgment from a lower court?

Question 3

Considering the number of crimes committed by presiding Circuit Judges in aiding the Respondents to evade civil and criminal prosecution, is their dispensing of the case legal?

Question 4

A large parcel of crimes committed by the Respondents and their co-conspirators form the substrata of this case. The court did not tend to these crimes. Can the Court of Appeals legally dispense with this case without addressing the crimes?

Question 5

The Court of Appeals was requested to issue an order to compel the Respondents to obey the law and to execute their statutory duties, which duties Respondents are in violation of. Can the Court of Appeals legally dismiss this case without addressing the request?

LIST OF PARTIES

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Names of Respondents and Attorneys: *See* Appendix 1.

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FEDERAL RULES

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OPINIONS BELOW

The Memorandum of the United States Court of Appeals for the 9th Circuit in *Anthony P. Keyter vs. John McCain, et al*, No. 06-15253, entered on November 6, 2006, is unreported, and is reproduced in Appendix 2(a). An Order entered on June 9, 2006, re motions, is reproduced in Appendix 2(b).

The Opinion and Order of the United States District Court for the District of Arizona entered on January 17, 2006, is reproduced in Appendix 3.

JURISDICTION

The jurisdiction of this Court rests on 28 USC 1254 and Rule 10 of the Supreme Court Rules.

RULE INVOLVED

This petition for a writ of certiorari is filed under Rule 10 (a) of the Supreme Court Rules:

> *"A United States Court of Appeals ...has so far departed from the accepted and usual course of judicial proceedings, or has sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;"*

The business of the courts is to administer the laws and to bring justice to bear upon offenders of the laws. In violation of this very raison d'être, the Circuit Judges have engaged in conduct contrary to the laws and to the Constitution of the United States. The presiding judges have joined with a criminal conspiracy to defeat the ends of justice. The offending judges have spurned their duties to administer the

laws and have instead provided protection to known criminals and have aided and abetted the cover up of their crimes. The Court of Appeals for the 9th Circuit has so far departed from the accepted and usual course of judicial proceedings, and has sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power.

This case embroils senior federal officials in criminal conduct and the cover up of crime. Accordingly, the case is of such public importance that it justifies consideration by the Supreme Court of this petition for a writ of certiorari.

CONSTITUTIONAL PROVISIONS INVOLVED

Every citizen living in the United States has by law the following two inalienable rights - that of lawful ownership of property, and that of equal protection of the laws, viz. US Constitution - Amendment XIV, Section 1:

> *"... nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws".*

Petitioner/Plaintiff has repeatedly been denied these inalienable rights by the Respondents/Defendants, by the US District Court for the District of Arizona, and by the US Court of Appeals for the 9th Circuit. Accordingly Petitioner has addressed himself to the United States Supreme Court upon whose marble edifice is chiseled the compelling words: *"Equal Justice under Law".*

STATEMENT OF THE CASE

Despite the Constitutional protections of the 14th Amendment, Petitioner's assets were seized and he was stripped of a portion of his income by illegal government action. Since January 2002, the Petitioner has attempted, through the courts and authorities, to seek just treatment, to retrieve his property, to claim restitution, and to bring the perpetrators of the crimes to book. However, officials have repeatedly moved to cover up the crimes in an effort to protect lawbreaking colleagues from civil and criminal prosecution, and to deny the Petitioner equal protection of the laws.

This melee has developed into a major and ongoing criminal conspiracy within the United States Government and courts to obstruct the administration of the laws, defeat the course of justice, provide protection to criminals, and to deny a law abiding citizen (Petitioner) the Constitutional right to protection of the laws and ownership of rightful property.

Exhaustive Measures

Petitioner has taken exhaustive measures to seek justice and restitution, and to animate the law enforcement process to retrieve his assets and to prosecute the crimes amongst officials - to no avail. Since January 2002, Petitioner has made more than five thousand (5000) written requests to individual officials - from the most junior police officer to the highest authorities in the land.

The numerous written requests for protection and enforcement of the laws were directed to officials from forty two (42) different, but pertinent, institutions of government. These institutions include the FBI and six other police departments, state and federal prosecutors, state and federal judiciary committees, a state judicial conduct commission,

state ethics boards, bar associations, state and federal attorney general offices, state and federal legislatures, and state and federal executive offices.

Requests for protection and enforcement of the laws, and claims for restitution were also made in several state and federal courts. These cases were filed in state superior courts, a state appeals court, and a state supreme court; federal district courts, federal appeal courts, and finally in the United States Supreme Court.

Corruption in Government / Judiciary

Prima facie evidence of the crimes was provided to the authorities and to the courts. Each official to whom the crimes were presented had the capacity, the authority, and a statutory duty, to address the crimes. However, each official omitted to perform their legal duties to investigate and prosecute, or to initiate same. In every instance the Petitioner's appeals for justice and protection of the laws were rejected in favor of a cover up of government and judicial wrongdoing, and in favor of protection of the lawbreaking officials implicated. In every instance where the lawsuits were decided by the courts, the courts willfully failed to deal with the deluge of crimes. The US Supreme Court has also failed to address the extensive corruption in government, and in its own corridors, placed before it in Case Numbers 05-140 and 06-284.

In practice, government officers who break the law at the expense of the common man are unassailable. However, providing protection to criminals is a crime, and failure to have them identified is a crime.

Misprision / Obstruction / Conspiracy

The statute on Misprision of Felony (18 USC 4), amongst many other statutes, obligates officials to deal with felonies

and other crimes which have been brought to their attention. The officials should have either initiated the investigations or prosecutions on their own volition, or alternatively, they should have passed the information on to somebody in authority who would have addressed the crimes. Each official violated the statute on misprision of felony.

By failing to act when action was due, each official similarly obstructed and impeded the due and proper administration of the law and violated the statute on Obstruction of Justice. (18 USC 1505). Moreover, by hindering and preventing the apprehension, trial, and punishment of lawbreaking peers, each official also furthered the aims of a broad ranging conspiracy against Petitioner's rights and conspiracy to commit offenses, and effectively promoted the objectives to obstruct the course of justice. As a result, each official became a co-conspirator to the crimes of the other offenders (18 USC 371) and accessories after the fact to the initial crimes (18 USC 3). Thus a staggering number of 1.6 million crimes have been documented according to the dictates of the law - a sobering statistic indeed.

Associated Crimes

The crimes associated with this criminal conspiracy are of a serious nature and include, amongst others, the following: Burglary; Perjury; Fraud; Theft; Theft of Court Record; Failure of Duty; Official Misconduct; Rendering Criminal Assistance; Conspiracy against Rights; Conspiracy to Commit Offense; Deprivation of Rights under color of law; Misprision of Felony; Accessory after the Fact; Obstruction of Justice; and Conspiracy to Kidnap.

In a clear attempt to neutralize the Petitioner as a key witness to their crimes, the conspirators have also embarked upon severe intimidation and retaliation against him. This intimidation and retaliation includes the destruction of

Petitioner's livelihood; obstructing Petitioner in the free exercise of his profession; attempts to curtail his freedom and personal liberty; and the deprivation of Petitioner's privacy through the illegal interception of all his communications in violation of the tenets of the Patriot Act. There has been a foiled attempt to kidnap Petitioner and incarcerate him under false pretext.

Evidence of crimes

The acts of intimidation and retaliation by conspirators are more fully described in the Motion for Preliminary Injunction attached hereto as Appendix 6, which motion was summarily rejected by the Court of Appeals and which is part of the Court Record.

Two criminal dossiers comprising some 1700 pages provide details and some *prima facie* evidence of the more than 1.6 million contraventions of the criminal statutes by 377 conspirators. The dossiers, dated April 14, 2006, are a matter of Court Record as appendices 2 and 3 to the Motion for Preliminary Injunction. The dossier titled "State- supported Tyranny upon the Populace" describes crimes committed by members of the US Executive and conspirators closely associated with them. The two-volume dossier titled "Dossier of Crimes" meticulously records details of crimes originating in Washington State courts and progressing into the Washington State Government and the US Department of Justice.

These dossiers have also been filed with the US Supreme Court on 10 separate occasions, including in the three other Supreme Court cases arising out of the same criminal conspiracy, namely *Anthony P. Keyter vs. George W. Bush*, case no. 05-140, *Anthony P. Keyter vs. 230 Government Officers*, case no. 06-284, and the case *Anthony P. Keyter vs. Maureen E. Keyter* (number not assigned).

377 Known Conspirators

As of April 14, 2006, there were three hundred and seventy seven (377) known conspirators implicated, of whom 349 were officials of government, including all the Respondents in this case. However, as the criminal violations are ongoing, and as an ever-increasing number of officials become implicated in the cover up of the crimes, the numbers keep escalating.

As the 349 officials involved in the criminal conspiracy hold pertinent positions in State and Federal Government, perversion of justice can have no clearer and more debased an example. Amongst state officials are six (6) police chiefs and several police officers, county prosecutors, State Attorney Generals, a Secretary of State, a State Chief Justice, legislators, and two State Governors. Also included are 53 judges from the Washington State Courts. Amongst federal officials involved in the criminal conspiracy are US Attorneys, FBI agents, judges of the Federal Courts and other senior officials of government.

Civil Suits

As a general principle, every act or omission consciously or willfully perpetrated which harms another person constitutes a cause of action in a claim for damages in tort law.

Accordingly, civil suits for damages were filed against malfeasant officials who, through their acts and omissions, caused harm and loss to the Petitioner. This case against the Respondents is one such case. The US Supreme Court case *Anthony P. Keyter Vs 230 Government Officers* (06-284) is another such case, and the US Supreme Court case *Anthony P. Keyter Vs George W. Bush* (05-140) is yet another. However, in each case the defendants committed further misdeeds in court to escape liability. In each case corrupt and politically motivated judges joined forces with the

conspirators and have, without exception and in violation of the law, dismissed the cases before trial in order to protect lawbreaking government officials. Furthermore, the judicial system has failed to address the criminal offenses underlying the civil suits, and the offenses committed in the courts.

In addition, in each case the courts were requested to order the defendants to obey the law and for each to execute his/her statutory duty regarding the crimes presented to him/her. Successive judges have simply ignored these requests. A petition for a writ of mandamus was filed in the US Supreme Court (case no. 05-140) requesting the Court to compel President Bush to see to his constitutional duties to administer the law where it has broken down regarding the crimes of this conspiracy. However, this petition was illegally removed from the Supreme Court Record, re-filed on six occasions, and illegally removed from the Court Record on each occasion.

In their efforts to counteract and nullify the court cases, the conspirators simply embarked upon theft of and tampering with court records, illegal removal of incriminating evidence, manipulation of court judgments, and a path of malicious intimidation and retaliation against the Petitioner as primary witness to the crimes of government officers. A (foiled) plot was initiated to kidnap the Petitioner in an attempt to neutralize him in the courts. In addition, the criminal dossiers which describe and provide *prima facie* evidence of the crimes of the 377 conspirators, including the 31 Respondents in this case, have illegally been removed from the Court Records in all the cases filed with the Supreme Court.

Major Criminal Conspiracy

The criminal acts described above furthered the common aims of, and were of mutual benefit to, all 377 conspirators

listed in the criminal dossiers, including the 31 Respondents in this case. The illegal removal of the criminal dossiers from the Supreme Court Record suppressed information of the crimes of all the conspirators, including the Respondents in this case. The illegal removal of the mandamus petitions saved all the conspirators from a court order enforcing criminal investigation and resultant prosecution.

It is the combined action by conspirators that has served to defeat the course of justice so absolutely - one conspirator or group performing one part of the criminal act, another, the other part of the act. For instance: one group of conspirators hatching the plot to kidnap the Petitioner; one group initiating the plot; another group executing the (foiled) attempt; yet a third group illegally protecting them by failing to prosecute the offenders; and ultimately, the judges failing to administer the law, and provide protection to the Petitioner, by summarily dismissing the case and a Motion for Injunction against the conspirators. (Appendix 6).

Anthony P. Keyter vs. McCain, et al – Case Number CV-05-1923-PHX-DGC

Petitioner filed a civil claim for damages in the District Court of Arizona against Senator McCain and 30 co-conspirators for their acts and omissions in the criminal conspiracy which violated the Petitioner's rights, and which violated their common law, statutory, and constitutional duties to the Petitioner and to the state. These acts and omissions caused the Petitioner harm, suffering, and loss. In addition, an important cornerstone of the Petitioner's case is the request to Court to compel the Respondents to obey the law and to execute their statutory duties. Failing the issue of this order, the request was made for *the Court* to deal with the 1.6 million crimes committed by the Respondents and their co-conspirators, and presented to the court.

However, this case has been characterized by an unremitting succession of criminal acts in order to protect the Respondents from civil and criminal prosecution, and to avoid an order to compel them to obey the law and execute their statutory duties. The criminal acts are not restricted to the litigants, but include the judiciary of the Federal District Court and Court of Appeals, who have indulged in an orgy of crime to protect the lawbreaking officials.

The initial crimes committed by the Respondents against the state and against the Petitioner which underlie the civil claim for damages, were presented to the court in the 1700 pages of the criminal dossiers: the "Dossier of Crimes", and the dossier "State-supported Tyranny upon the Populace" which form part of the Court Record. An updated version of this dossier was presented to the Court of Appeals as addendums 2 & 3 to the Motion for Preliminary Injunction. (Appendix 6). The crimes committed by the Respondents during the course of this case are detailed in the Court Record and in the criminal charges filed before the District Court in a motion to terminate ongoing crimes, and in a Criminal Complaint filed in the Appeals Court. For example, the Respondents submitted motions to dismiss which were fraught with deceit and with violations of criminal law. The violations include: numerous counts of fraud; perjury; conspiracy to commit crimes; obstruction of justice; and others.

Crimes Committed by District and Circuit Judges

District Court Judge David G. Campbell committed numerous crimes in his illegal attempts to protect the Respondents from criminal and civil liability for their violations of law. Judge Campbell granted the Respondents' motions to dismiss despite his knowledge that it was born in crime, thereby providing formal sanction to illegal acts. Judge Campbell committed fraud in his judgment,

misrepresenting the case with no less than 8 false statements, which all constitute acts of perjury.

Judge Campbell failed to address the known crimes of the Respondents before dismissing the case, in violation of his judicial duties and the law, amongst others 18 USC 4, 28 USC 535(b), and the Federal Rules of Criminal Procedure, Rule 4 & 41. In that failure to administer the laws the judge provided protection to known criminals and obstructed the course of justice in contravention of statute 18 USC 1505. In all, the judge violated 16 criminal statutes (including perjury on 8 counts), and the Federal Rules on Criminal Procedure on several counts. His judgment was not an articulation of *justice*, but rather a pernicious political act of judicial fraud.

The crimes committed by Judge Campbell in presiding over the District Court case are well documented in the "Dossier of Crimes", Chapter 18.29.

The Circuit Judges sanctioned the crimes committed by the District Court Judge and the defendants. Judges Leavy, Gould, and Clifton, amplified the crimes of the District Court Judge Campbell, and added their own criminal violations to the corruption in this case.

REASONS FOR GRANTING THE WRIT

1. THE JUDGMENT IS ILLEGAL

The Circuit Judges continued and furthered the illegal protection of lawbreaking officials, and the debauchery in government/judicial circles, by affirming the patently fraudulent and illegal judgment of the District Court. Through their affirmation of the District Court judgment, they not only displayed a curious reluctance to use their powers to reign in obviously corrupt officials, they actively

condoned the lawlessness of Respondents and of the District Court judge. By dismissing the case without attending to the underlying crimes, the Circuit Judges willfully provided protection to known criminals and a safe passage for them through the 9th Circuit Court of Appeals. In the process, the Circuit Judges committed several crimes which render their judgment illegal.

Obstruction to the Course of Justice

Statute 18 USC 1505 prohibits the obstruction of justice via the failure to administer the laws. The presiding Circuit Judges were provided with strong probable cause and had a mandatory judicial duty, pursuant to Rules 4 and 41 of Federal Rules of Criminal Procedure, to arrest the Respondents and the District Court judge. Statute 28 USC 535(b) provides further obligations regarding the investigation and prosecution of lawbreaking government officers. The Circuit Judges simply turned a blind eye to the multiple crimes committed by Respondents and by District Court Judge Campbell. Through their criminal neglect the Circuit Judges violated 18 USC 1505.

Misprision of Felony

The presiding Circuit Judges had a statutory obligation in terms of 18 USC 4 to address the multiple crimes committed by the Respondents and their co-conspirators, and by the District Court judge. Seventeen hundred pages of detail and *prima facie* evidence of multiple felonies committed by the Respondents and their co-conspirators, and the District Court judge, was placed before the Court of Appeals in the criminal dossiers and in a Criminal Complaint. The Circuit Judges simply ignored the Criminal Complaint, the evidence, and requests to deal with the crimes, and thereby violated the law on misprision of felony (18 USC 4).

Fraud

The Appeals Court judgment is a profound act of fraud. The judgment has the clear objective to illegally provide protection from prosecution to the Respondents. The judges discarded the facts, misrepresented the basis of the case, and contrived to thwart the workings of the law by committing fraud. Circuit Judges committed fraud firstly by affirming a patently fraudulent judgment. They further committed fraud by ignoring substantial parts of Petitioner's case, i.e. the request to compel the Respondents to obey the law, and the request to address the crimes placed before the court in a Criminal Complaint. Their omissions were not benign acts of neglect, but a conscious, willful, and criminal effort on the part of the Circuit Judges to protect known criminals - Judge Campbell, the Respondents, and co-conspirators - and cover up their crimes.

Perjury

In order to provide legal respectability to their fraudulent judgment, Circuit Judges cloaked their judgment in 9 false, fraudulent, and perjurous statements – a devious tool apparently widely used by judges across the United States. Those 9 false statements are dealt with in Appendix 5.

Violation of the 14th Amendment – Denial of Due Process and Protection of the Laws.

The repudiation by the Court of Appeals of the lawlessness in the District Court, and the denial of the validity of the crimes of officials exposed in the 'criminal dossiers' and Criminal Complaint, violated the Petitioner's 14th Amendment right to *due process* and *equal protection of the laws*. The judgment by the Court of Appeals affirming the ruling by the District Court is in conflict with the 14th Amendment and must be overturned by the US Supreme Court.

In addition, the summarily denial of the Motion for Preliminary Injunction without sound legal reason, and the denial of default judgment where it was legally due, constitutes further violations of the Petitioner's 14th Amendment rights to due process and equal protection of the laws.

Unrestrained Bias

Through their judgment the Circuit Judges disclose a malevolent disposition towards the Petitioner and an unrestrained bias towards Respondents. The judges aided and abetted the Respondents to escape criminal and civil prosecution by illegal means.

Circuit Judges advantaged the Respondents by providing them protection against culpability for felonies committed, by sanctioning their ongoing crimes against the Petitioner and failing to provide protection against those crimes; and by obstructing the proper conduct of justice. Circuit Judges failed to perform peremptory judicial functions pursuant to Titles 18 USC 4, 18 USC 1505, 18 USC 3041, 28 USC 535 (b)(1), Rule 4 and 41 of Criminal Procedures, and other statutes. Circuit Judges committed perjury to secure an apparent legal premise for affirming the illegal District Court judgment. *See* Appendix 5. These transgressions of law were all perpetrated in clear favor of the Respondents and in prejudice against the Petitioner. The misconduct of the Circuit Judges rendered impartial judgment impossible. Through their misconduct, Circuit Judges violated 28 USC 455.

Affirming an Illegal Order

Question: Can the Court of Appeals uphold a patently illegal ruling from a lower court?

Answer: No.

Question: Can the Court of Appeals dismiss a civil case and a Criminal Complaint without addressing crimes committed by the Respondents which form the substrata of the case?
Answer: No.

Question: Can a judgment by the Court of Appeals which is contrived in crime, be legal?
Answer: No.

The Court of Appeals Order affirming the District Court Ruling to dismiss the case was contrived in illegality. This illegality warrants overturning by the Supreme Court.

2. FEDERAL TORT CLAIM ACT

The Circuit Judges falsely claim that the Federal Tort Claim Act, FTCA, is the exclusive remedy for *this* common law claim: *"The district court properly dismissed Keyter's common law tort claims because the Federal Tort Claims Act ("FTCA") is the exclusive remedy for claims against employees of the United States for injuries arising from their negligent or wrongful acts or omissions while acting within the scope of their office or employment".*

Common Law Claim Not Subject to FTCA
The claim against Respondents is not a tort claim against the state under the Federal Tort Claim Act, as the Circuit Judges falsely allege. The negligent and wrongful acts and omissions for which restitution is sought were not perpetrated whilst the Respondents were acting "*within the scope of their office or employment*", but were negligent and wrongful acts perpetrated by Respondents as citizens and as human beings.

The claim for restitution is for harm and loss caused by violations of both common law and statutory law, by

Respondents acting in their personal capacities. These injuries are addressed in Causes 1-6 of the Complaint.

Amongst the violations of statutory law are *crimes* committed by Respondents acting as delinquent and malevolent human beings. Injuries were sustained from those crimes. The criminal statutes were violated by Respondents in a personal capacity, *not* in an official capacity. It cannot in truth be said that when an official commits a crime, he is acting *"within the scope of his office or employment"*. The harm and injuries resulting from that crime cannot be said to have arisen from acts *"within the scope of his office or employment.* It also cannot in truth be said that it is the state, and not the individual official, that should be held culpable for crimes committed by an official. The state, an inert entity, cannot be held liable for crimes – even more so when those crimes are committed by an individual officer. For if it was so, any government official can commit murder and get off scot-free from accountability for such an evil deed, since, by this argument, the state would assume culpability. But we know that this is not the case.

Amongst the violations of law are also violations of *duties* by the Respondents - both common law duties and statutory duties. Injuries were sustained from the failure of both categories of duties as described in Causes 1-6. The Supreme Court must cognize that each Respondent, in his *personal and private capacity*, has both statutory and common law duties. One such personal statutory duty, amongst many, is a duty in terms of 18 USC 4 to act on known crimes, *regardless* of how or in which capacity, personal or official, the knowledge of those crimes is acquired. Another statutory duty which each Respondent has in his private and personal capacity is not to engage in a conspiracy against another's rights. There are many more. It does not follow axiomatically then, as the District Court judge suggested in

his Order, that 'statutory duties' relate only to duties in an official capacity and that therefore the *FTCA* protects the respondents from private civil litigation. Whilst respondents have indeed failed certain statutory duties in their official capacities, they have also failed statutory duties in their personal capacities. However, in the overall context of the Complaint, the statements generally refer to statutory breaches by Respondents in their personal capacities, which breaches have caused Petitioner harm and loss for which he is seeking restitution. This intent is clearly stated in the Complaint. (Appeal Docket 1, Page1). The concept of '*Failure of statutory duty by Defendants in a personal capacity*', as presented in the Complaint, aught not be substituted by the concept of '*failure of statutory duty in an official capacity*', as the District and Circuit Judges have done - willfully, deceitfully, and fraudulently.

The claim makes it indisputably clear that the Petitioner sued Respondents for harm and loss caused whilst acting in their personal capacities: *"Plaintiff Anthony P. Keyter brings this civil action for damages against Defendants* ***in their personal capacities."*** [bold in original text] (Appeal Docket 1, page 1.) *"The Defendants, both as individuals and as co-conspirators in a conspiracy, denied the Plaintiff due process and equal protection of the laws ...."* (Appeal Docket 1, page 8) This premise is also succinctly described in the causes of action: *"By his/her conduct, the Defendant(s) violated his/her common law duty to the Plaintiff and to society."* (Appeal Docket 1, page14). *"Neglecting your duty as a human being is morally wrong."* (Appeal Docket 1, pages 13, 15, 17). For the District and Circuit Judges to represent that the Petitioner/Plaintiff's Complaint makes it *"clear that Keyter has sued Defendants based on acts or omissions within the scope of their Federal Offices"*, is false representation. (Appeal Docket 21, page 4).

The judgment by District Judge Campbell alleging no jurisdiction because the claim is barred under the FTCA was a carefully contrived act of fraud aimed at a predetermined outcome - that of dismissal of the case. This fact can be gleaned from the 8 perjurous statements made by Judge Campbell in his judgment. *See* Appeal Brief, Addendum 1. The Circuit Judges reinforce and affirm the fraudulent judgment submitted by Judge Campbell.

Order to Compel

It is also true that Respondents concurrently failed their *official duties*. That failure is addressed in the 7th Cause of Action by way of an action to compel Respondents to obey the laws. Respondents are in breach of the law, both in their official capacities, and in their personal capacities. Quote from Complaint: *"Wherefore, the Plaintiff prays that the Court makes an order against the Defendants, as follows: Compelling the Defendant(s) to obey the law and comply with and execute his/her particular statutory duties with respect to the particular parcel of allegations of multiple crimes presented to him/her by the Plaintiff".* (Appeal Docket 1, pages 20, 21).

The Petitioner/Plaintiff did not specify to the court whether to issue an Order to compel the Respondents/Defendants in their personal capacities only, (i.e. an Order to obey 18 USC 3, and 18 USC 4, for instance), or whether to issue an Order to compel Respondents in both capacities, personal and official. The extent of the Order is clearly the choice of the court, but one must presume as it is the court's function to keep a society law-abiding and civil, the court would issue an Order to law-breaking officials to adhere to the law in all capacities, both personal and official.

The request by the Petitioner for an Order to compel can thus in no way be construed as being limited to the Respondents

acting in their official capacity only – to the total exclusion of their statutory breaches whilst acting in their personal capacities.

Conclusion

It is thus a misrepresentation by the District Court Judge that: *"...Plaintiff has sued Defendants based on acts or omissions within the scope of their federal offices."* (Appeal Docket 21, page 4). It is a further misrepresentation by Circuit Judges that: *"Contrary to Keyter's claim that he sued defendants in their personal, and not official, capacities, the allegations in Keyter's complaint make clear that Keyter sued defendants based on acts or omissions within the scope of their federal offices"*. These false statements merely serve the judges with what deceitfully appears to be a respectable basis for dismissing the case, i.e., no jurisdiction, and not complying with the FTCA. However, the Petitioner submits that the misrepresentations are not merely errors of judgment by the learned judges, but willful and dishonest acts of fraud in order to 1) deny the Petitioner the protection of the law, and 2) to provide illegal protection to the Respondents from civil and criminal prosecution.

The United States Supreme Court cannot support this fraudulent aspect of the Appeals Court Judgment, must overturn the judgment, and must address the fraud in both the District and the Appeals Courts.

3. CRIME AS CAUSE FOR RESTITUION

The Complaint states that injury came from, amongst other causes, breaches of *common law equivalents* of crimes committed by Respondents.

The District Court held that the criminal statutes do not provide a private right of action. The Court of Appeals

affirmed the judgment on the grounds that *"The district court properly dismissed Keyter's claims based on federal criminal statutes because statutes that provide for punishment by fine or imprisonment do not create private enforceable rights or give rise to civil liability", "(finding no civil liability under criminal conspiracy statutes)".*

Question: Does not *every* malicious, willful, or negligent act that causes injury to our fellowman, incur a debt upon the transgressor towards his victim?
Answer: Of course it does. And natural law demands that the scales of justice be balanced by the malefactor towards the party he has injured. The more serious of those harmful acts, which society defines as 'crimes', are not exempt from this universal principle of cause and effect. It is the very principle which civil restitution is premised upon.

The Respondents neglected their duty to society and to the Petitioner and caused him harm. Neglecting your duty as a human being is wrong, and wrongful acts must be addressed by society. As a general principle, every act or omission consciously or willfully perpetrated which harms another person, constitutes a cause of action in a claim for damages in tort law. It follows then that every *criminal* act or omission which injures another, also gives rise to a civil claim for damages.

The criminal statutes merely reflect societal norms, and common law principles and dictates. For every criminal statute which describes obligations to the state and cautions citizens against acts of harm to another, there is an underlying common law duty from which it is born. It is these underlying common law principles and obligations which Petitioner seeks to address in his fourth, fifth and six causes of action.

4. THE CASE IS NOT FRIVOLOUS

The Court of Appeals stated in its judgment that: *"The district court did not abuse its discretion by prohibiting Keyter from filing future claims arising from the subject matter of this case because the court made substantive findings of frivolousness, and the order was narrowly tailored to curb the abuses of this particular litigant".* (Appendix 2(a)). The Oxford English Dictionary defines 'frivolous' as 'not having any serious purpose or value'. Other dictionaries describe the meaning of the word as 'unimportant', 'trifling' and 'silly'.

The Petitioner, just like any other citizen of the USA, has 14th Amendment Constitutional rights as well as Common Law rights. These rights were violated by the Respondents which caused the Petitioner harm, suffering and loss.

Question: Can it be said that a civil claim for damages for this harm, suffering, and loss, caused to the Petitioner as a result of violations by Respondents of Constitutional rights and common law duties, constitutes a frivolous, unimportant or silly lawsuit?
Answer: No.

A parcel of crimes was placed before each of the Respondents in this case, with the request to investigate or initiate investigations thereof. Each has a statutory obligation and the authority to deal with the particular parcel of crimes presented to him/her. Each willfully failed that obligation and covered up the crimes.

Question: Can the request to Court to issue an order compelling the officers of government to obey the law and execute their statutory duties, when they are in breach of those duties, constitute a frivolous lawsuit?

Answer: No.

The Court was requested to deal with the allegation of multiple crimes committed against the state "submitted to Court in the Dossier of Crimes, in terms of Rules 4 & 41 of Federal Rules of Criminal Procedure and the statute on Misprision of Felony (18 USC 4)."

Question: Can this most serious aspect of the Complaint possibly be termed frivolous?
Answer: No

Question: Can a criminal conspiracy involving some 349 government officials (counting the Respondents) in serious crimes, including a foiled attempt to kidnap and incarcerate Petitioner, be termed a frivolous case?
Answer: No

The dismissal of Petitioner's case on the grounds that the Complaint is 'frivolous' must be seen in the wider context of Judge Campbell's fraud. He falsely and perjurously presented that argument to the court and to the public solely in order to provide substance to a fraudulent judgment. Yet the Court of Appeals found that Judge Campbell did not abuse his discretion in finding the case frivolous, and the Appeals Court irregularly affirmed the judgment. Perversely, the Court of Appeals also found that *"the order was narrowly tailored to curb the abuses of this particular litigant"*. That supposed *'abuse'* by Petitioner refers to his fruitless search to find justice in the courts of the United States, and to find an official with honesty and fortitude, willing to address this deluge of crime amongst government officials.

The United States Supreme Court cannot allow an Appeals Court Ruling to stand which affirms a District Court judgment contrived in fraud.

5. JUDICIAL BIAS

The 9th Circuit Court stated in its judgment that: *"Keyter's remaining contentions regarding judicial bias are not supported by the record"*.

The criminal complaints presented to the courts containing details of the crimes committed by the Respondents have yet to be addressed. Judge Campbell advantaged the Respondents by protecting them against criminal prosecution for felonies committed in connection with this case. Judge Campbell advantaged the Respondents by failing to apprehend them, failing to administer the laws, by allowing their criminal misconduct to continue against the Petitioner, and by obstructing the proper course of justice. Judge Campbell went so far as to withhold peremptory judicial functions - pursuant to titles 18 USC § 4, 18 USC § 1505, 18 USC § 3041, 28 USC 535 (b)(1), Rules 4 & 41 of Criminal Procedures, and other statutes - in order to assist the Respondents to escape criminal liability.

Judge Campbell further committed 8 counts of perjury to secure an apparent legal premise for dismissing the case against Respondents. Judge Campbell failed to compel the Respondents to obey the laws, thus openly sanctioning their violations of law. Through his misconduct Judge Campbell violated 28 USC 455.

These transgressions of law were clearly perpetrated in favor of the Respondents and in prejudice against the Petitioner, to the extent that Judge Campbell violated the laws himself to aid and abet the Respondents. These transgressions of law *are* supported by the record. *See* Appeal Brief.

The United States Supreme Court is obliged in law to overturn an Appeals Court Ruling which affirms a District Court judgment rendered in contravention of 28 USC 455.

6. ORDER TO COMPELL

District Court Judge Campbell ignored major elements of the case. In his judgment he ignored the request for an order to compel the Respondents to obey the law and to execute their statutory duties which they are in breach of, both in their personal and official capacities. He also ignored the request to execute *his* statutory duties to deal with multiple crimes committed by the Respondents and their co-conspirators, which were presented to Judge Campbell. (Complaint, § XIV. 6).

The fraudulent negation of this substantial part of the case was a conscious, willful, and criminal endeavor to protect known criminals (the Respondents) and to cover up their crimes. The judge had the clear intent to deny the Petitioner the protection of the Constitution and of the law, and to defraud the Petitioner of any restitution for the malfeasant acts of the Respondents.

The omission to consider as part of the case these important requests to court, and the willful failure by the judge to deal with his statutory obligations regarding the crimes, rendered the judgment not only defective, but also illegal. (Rules 4 & 41, Federal Rules of Criminal Procedure, and 18 USC 4).

Question: Were the Circuit Judges acting legally in affirming a judgment which fraudulently ignored a substantial part of the case, and which ignored the law? **Answer:** No.

Because there had been a major failure of the government and judicial system to deal with the broad criminal conspiracy surrounding this case, the Petitioner requested the Circuit Court to issue an order compelling defendants to execute their statutory duties; failing which, the Circuit Court was requested, pursuant 18 USC 4, 18 USC 3041, Rule 4 & 41 of Federal Rules for Criminal Procedure and other laws which direct and mandate the Court, to deals with the 1.6 million crimes presented to the Court. The Circuit Court likewise negated this request, ignored the large number of serious crimes in and underlying the case, and ignored the law and the Federal Rules for Criminal Procedure.

Question: Were the Circuit Judges acting legally in denying the request for a writ of mandamus which was instituted to command the Respondents to obey the law?
Answer: No.

CONCLUSION

The Petitioner submits that the Appeal Court's judgment so far departs the norms of society, and departs the principles of just and ethical government enshrined in the Constitution, that the judgment of the Court of Appeals warrants overturning by the Supreme Court.

The combined lawlessness by government and judicial officials alike must be addressed by the Supreme Court, lest this lawlessness, and incestuous protective relationship, be entrenched as a norm in society, if not already deep-rooted.

It is of national interest to the United States that the nation has a just and law abiding government. It is of vital importance to the nation that its government officers obey the laws and uphold the Constitution. It is essential that the

court system administers the laws autonomously and provides due process in keeping with its raison d'être.

This case, however, exemplifies lawlessness in the combined United States government and court system, and the impunity with which officials can violate the criminal statutes and inflict harm upon the public. In this case government officers (and institutions) have shunned the laws, provided protection to criminal elements in their midst and covered up the crimes, thereby engendering a certain brand of tyranny upon the populace. The lower courts have with callous disregard sanctioned these illegal deeds and have protected the perpetrators.

The prominence of a case involving 31 senior officials of government in criminal activity provides compelling reasons for the Supreme Court to exercise its oversight responsibilities. The shear magnitude of criminality which the lower courts have sanctioned in this case warrants the Supreme Court's attention. It is imperative for the Supreme Court to intervene and to terminate the ongoing criminal conspiracy within the government and the courts of the United States.

The Supreme Court Justices have a clear choice to act resolutely and enforce the nation's laws and restore order to the demonstrated anarchy, or, to condone and entrench the corruption in the lower courts and provide its seal of approval to the lawlessness in the government of the United States. These issues present undeniable cause for authoritative judicial resolution at the highest level of judicial authority in the United States.

Respectfully Submitted,

Anthony P. Keyter (Pro Se)

January 9, 2007

APPENDIX 1

LIST OF PARTIES

Names of Respondents
1st Defendant: Senator John McCain
Address: 5353 North 16th Street, Suite 105, Phoenix, AZ 85016
Phone: (602) 952-2410
2nd Defendant: Senator Jon Kyl
Address: 2200 East Camelback, Suite 120, Phoenix, AZ 85016 -3455
Phone: (602) 840-1891
Name of 1st and 2nd Defendants' Attorneys:
Patricia Mack Bryan, Senate Legal Counsel
Morgan J. Frankel, Deputy Senate Legal Counsel
Grant R. Vinik, Assistant Senate Legal Counsel
Thomas E. Caballero, Assistant Senate Legal Counsel
Office of Senate Legal Counsel
642 Hart Senate Office Building
Washington, DC 20510-7250

3rd Defendant: Vice President Dick Cheney
4th Defendant: Dr. Condoleezza Rice - Secretary of State
Address: The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500

5th Defendant: John Ashcroft - Former US Attorney General
6th Defendant: Alberto Gonzales - US Attorney General
7th Defendant: Mr. R. Mueller, Director, FBI
8th Defendant: D. O'Brien, Chief, FBI Public Corruption Unit
9th Defendant: US Attorney Kenneth Wainstein
10th Defendant: (Former) US Attorney Roscoe C. Howard
11th Defendant: Assistant US Attorney Mark E. Nagle

12th Defendant: Special Assistant US Attorney Carol Catherman
Address: US Department of Justice, U.S. Department of Justice, 950 Pennsylvania Avenue, NW Washington, DC 20530-0001

13th Defendant: Bill Frist - US Senator
14th Defendant: Mitch McConnell - US Senator
15th Defendant: Ted Stevens - US Senator
16th Defendant: Rick Santorum - US Senator
17th Defendant: Joe Lieberman - US Senator
Address: US Senate, Senate Office Building, Washington, DC 20510

18th Defendant: Judge Hogan - US District Court, D.C.
19th Defendant: Judge Sullivan - US District Court, D.C.
Address: US District Court, 333 Constitution Ave N.W., Washington, D.C. 20001

20th Defendant: Judge Ginsberg - US Appeals Court, D.C.
21st Defendant: Judge Garland - US Appeals Court, D.C.
22nd Defendant: Judge Henderson- US Appeals Court, D.C.
23rd Defendant: Judge Rogers - US Appeals Court, D.C.
24th Defendant: Judge Sentelle - US Appeals Court, D.C.
25th Defendant: Judge Edwards - US Appeals Court, D.C.
26th Defendant: Judge Randolph - US Appeals Court, D.C.
27th Defendant: Justice Roberts - US Supreme Court, D.C.
28th Defendant: Judge Silberman - US Appeals Court, D.C.
29th Defendant: Judge Tatel - US Appeals Court, D.C.
30th Defendant: Judge Williams - US Appeals Court, D.C.
Address: US Court of Appeals, D.C. Circuit, 333 Constitution Ave Washington, D.C. 20001

31st Defendant: Judge Michel - Appeals Court, Fed. Circuit.
Address: US Court of Appeals, Federal Circuit, 717 Madison Pl. NW, Washington, DC. 20439

APPENDIX 2(a)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Filed on November 6, 2006

ANTHONY P. KEYTER,	)	
	)	No. 06-15253
Plaintiff – Appellant	)	
	)	D.C. No.
v.	)	CV-05-01923-PHX-DGC
	)	
JOHN MCCAIN Senator, et al.)		
Defendants – Appellees	)	
	)	MEMORANDUM*
	)	

Appeal from the United States District Court for the District of Arizona. David G. Campbell, District Judge, Presiding.

Submitted November 6, 2006**

Before: LEAVY, GOULD, and CLIFTON, Circuit Judges.

Anthony P. Keyter appeals pro se from the district court's judgment dismissing his action alleging that Senator John McCain and thirty other government defendants conspired to commit 1.6 million crimes against him. We

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* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R.36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P.34 (a) (2).

have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Rivera v. United States,* 924 F.2d 948, 950 (9th Cir. 1991), and we affirm.

The district court properly dismissed Keyter's common law tort claims because the Federal Tort Claims Act ("FTCA") is the exclusive remedy for claims against employees of the United States for injuries arising from their negligent or wrongful acts or omissions while acting within the scope of their office or employment. *See* 28 U.S.C. §§ 2674, 2679(b)(1); *F.D.C.I. v. Craft,* 157 F. 3d 697, 706 (9th Cir. 1998) ("The FTCA is the exclusive remedy for tortuous conduct by the United States, and it only allows claims against the United States"). Because Keyter neither sued the United States nor alleged that he exhausted his administrative remedies, his tort claims against defendants were properly dismissed for failure to comply with the FTCA. *See id.* at 706. Contrary to Keyter's claim that he sued defendants in their personal, and not official, capacities, the allegations in Keyter's Complaint make clear that Keyter sued defendants based on acts or omissions within the scope of their federal offices.

The district court properly dismissed Keyter's claims based on feral criminal statutes because statutes that provide for punishment by fine or imprisonment do not create private enforceable rights or give rise to civil liability. *See e.g., Aldabe v. Aldabe,* 616 F.2d 1089, 1092 (9th Cir. 1980) (per curiam) (finding no civil liability under criminal conspiracy statutes).

The district court did not abuse its discretion by prohibiting Keyter from filing future claims arising from the subject matter of this case because the court made substantive findings of frivolousness, and the order was narrowly tailored to curb the abuses of this particular litigant. *See De Long v. Hennessey,* 912 F.2d 1144, 1147-48 (9th Cir. 1990).

Keyter's remaining contentions regarding judicial bias are not supported by the record.

AFFIRMED.

APPENDIX 2(b)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Filed on June 9, 2006

ANTHONY P. KEYTER,	)	
	)	No. 06-15253
Plaintiff – Appellant	)	
	)	D.C. No.
v.	)	CV-05-01923-PHX-DGC
	)	District of Arizona,
JOHN MCCAIN Senator, et al.)		Phoenix
Defendants – Appellees	)	
	)	ORDER
	)	

Before: CANBY and KLEINFELD, Circuit Judges.

Appellant's motion for preliminary injunction is denied.

Appellant's motion for entry of default judgment is denied.

No motions for reconsideration, modification, or clarification of this order shall be filed or entertained.

This appeal is ready for calendaring.

APPENDIX 3

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

JUDGMENT IN A CIVIL CASE

Anthony P. Keyter
v.
John McCain, et al.,

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

_X__ **Decision by Court**. This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED having granted Defendants Motion to Dismiss, this action is dismissed. Plaintiff shall take nothing.

January 17, 2006

RICHARD H. WEARE
District Court Executive/Clerk

S/ Lisa Fettis
(By) Lisa Fettis
Deputy Clerk

Cc: (all counsel)

APPENDIX 4

ADDENDUM OF STATUTES AND AUTHORITIES

US Constitution - Amendment XIV, Section 1: "... nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws".

18 USC 3 – Accessory after the fact
States in relevant part: "whoever, knowing that an offense against the United States has been committed" "assists the offender in order to hinder or prevent his apprehension, trial, or punishment, is an accessory after the fact".

18 USC 4 - Misprision of felony
Misprision of felony states that: "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States" is guilty of 'Misprision of Felony'.

18 USC 371 – Conspiracy to commit offence
States in relevant part: "If two or more persons conspire either to commit any offense against the United States" "and one or more such persons do any act to effect the object of the conspiracy" each is guilty of Conspiracy to Commit Offense.

18 USC 1505 – Obstruction of Proceedings
States in relevant part: "Whoever corruptly" "influences, obstructs, or impedes" "the due and proper administration of the law under which any pending proceeding is being had

before any department or agency of the United States" is guilty of Obstruction of Justice.

18 USC 3041 – Power of Courts and Magistrates
States in relevant part: "for any offense against the United States, the offender may, by any justice or judge of the United States … be arrested and imprisoned".

28 USC 144 – Bias or Prejudice of Judge
"Whenever a party to a proceeding in a court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding."

28 USC 455 – Disqualification of Judges
"(a) Any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."

28 USC 535 (b) – Investigation of Crimes Involving Government Officers
States: "Any information, allegation, or complaint received in a department or agency of the executive branch of the government relating to violations of title 18 involving Government Officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, unless (1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of the law;"

28 USC 1254
"Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods: (1) By writ of certiorari granted upon the petition of any party to any civil

or criminal case, before or after rendition of judgment or decree; (2) By certification at any time by a court of appeals of any question of law in any civil or criminal case as to which instructions are desired, and upon such certification the Supreme Court may give binding.

Federal Rules of Criminal Procedure, Rule 4

Rule 4 (a) states: "If the complaint or one or more affidavits filed with the complaint establishes probable cause to believe an offense has been committed and that the defendant committed it, the judge must issue an arrest warrant to an officer authorized to execute it. Rule 4 (c) states: Such warrant must "command that the defendant be arrested and brought without unnecessary delay before a judge".

Federal Rules of Criminal Procedure, Rule 41

After receiving an affidavit or other information, a magistrate judge or a judge of a state court must issue the warrant if there is probable cause to search and seize a person or property under Rule 41(c). [Rule 41(c) – Evidence of a crime.]

Supreme Court Rule 10

In relevant part: "A United States Court of Appeals ...has so far departed from the accepted and usual course of judicial proceedings, or has sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;"

APPENDIX 5

PERJURY BY NINTH CIRCUIT JUDGES

In their 'Memorandum' in Case No. 06-15253, Ninth Circuit Judges Leavy, Gould, and Clifton, make several perjurous statements which are addressed below. These statements each violate 18 USC 1621.

Perjurous Statement 1: *"Anthony P. Keyter appeals pro se from the district court's judgment dismissing his action alleging that Senator John McCain and thirty other government defendants conspired to commit 1.6 million crimes against him".*
Comment: The judges fraudulently misrepresent that the claim is premised solely upon the allegation of crime when in fact the case is based upon the violations common law *and* of the criminal statutes – both of which have caused harm, and both of which give rise to a civil claim. Furthermore, the 1.6 million crimes were committed by 377 criminal conspirators as the court records disclose, and not the 31 defendants alone as the judges fraudulently claim.

Perjurous Statement 2: *"The district court properly dismissed Keyter's common law tort claims....."*
Comment: This is a false statement by the Appeals Court judges, as the district court did not *'properly'* dismiss the case. The district court dismissed the case fraudulently. The dismissal is based upon 8 false and perjurous statements by the District Court judge. *See* Appeal Brief, Addendum 1. The Circuit Judges were fully aware of this perjury when they made the above false statement. Furthermore, the district court judge was required by law to address the criminal acts committed by Respondents, which were presented to him. However, he '*improperly*' dismissed the

case without tending to the crimes, in contravention of the law. His criminal behavior cannot be considered *'proper'*.

Perjurous Statement 3: *"The district court properly dismissed Keyter's common law tort claims because the Federal Tort Claims Act ("FTCA") is the exclusive remedy for claims against employees of the United States for injuries arising from their negligent or wrongful acts or omissions while acting within the scope of their office or employment".*
Comment: This is a false and misleading statement. Whilst it is recognized that the FTCA may be the exclusive remedy for claims against employees of the United States for injuries arising from their negligent or wrongful acts or omissions while acting within the scope of their office or employment, the Respondents *were not* acting within the scope of their office or employment. Committing crimes against the state *is not* within the scope of an official's employment.

Perjurous Statement 4: *"....his tort claims against defendants were properly dismissed for failure to comply with the tort claim act".*
Comment: This is a false and misleading statement. As stated above, the FTCA does not apply to this claim, as the Respondents committed crimes, and committing crimes *does not* fall within the scope of their office or employment. The claim was thus *improperly* dismissed.

Perjurous Statement 5: *"...the allegations in Keyter's complaint make it clear that Keyter sued defendants based on acts or omissions within the scope of their federal offices".*
Comment: False statement. On the contrary, the Complaint is very clear that the defendants were sued in their personal capacities for harm and loss caused to the Petitioner as a result of acts and omissions by the defendants, which acts and omissions violate both common law and the criminal statutes. In addition, committing crimes against the state and

the Petitioner are acts that *are not* within the scope of their federal offices.

Perjurous Statement 6: *"The district court properly dismissed Keyter's claims based on feral criminal statutes because statutes that provide for punishment by fine or imprisonment do not create private enforceable rights or give rise to civil liability".*

Comment: The judges fraudulently misrepresent that the acts and omissions by the defendants do not give rise to a civil claim. Of course any act or omission which causes harm or loss to another is subject to civil remedy.

Perjurous Statement 7: *"The district court did not abuse its discretion by prohibiting Keyter from filing future claims arising from the subject matter of this case because the court made substantive findings of frivolousness, and the order was narrowly tailored to curb the abuses of this particular litigant"..*

Comment: The findings of the district court contained 8 perjurous statements, and the court thereby fraudulently abused its discretion. This abuse was known to the Circuit Judges when they made this perjurous statement.

Perjurous Statement 8: *"...the court made substantive findings of frivolousness, and the order was narrowly tailored to curb the abuses of this particular litigant".*

Comment: The overwhelming deluge of crimes committed by the Respondents and their co-conspirators is not a trivial matter. For instance, the crime of conspiracy to kidnap carries a sentence of live imprisonment. The injury that those crimes have wrought upon Petitioner is not a frivolous matter. The Petitioner's loss of livelihood and career as a concomitant to the kidnap attempt cannot be termed frivolous. The abuse of official power and position to commit these crimes, with impunity and protection of corrupt

federal judges, is the real abuse. The exhaustive efforts of the victim to bring the Respondents to justice in the courts is not abuse, but the due process of the law demanded by the Constitution, and mandated by the statute 18 USC 4.

Perjurous Statement 9: *"Keyter's remaining contentions regarding judicial bias are not supported by the record".*
Comment: False statement. The judicial prejudice is well supported by the record for all unbiased observers to read.

APPENDIX 6

No. 06-15253

IN THE UNITED STATES COURT OF APPEALS FOR THE 9th CIRCUIT

ANTHONY P. KEYTER
Plaintiff/Appellant (Pro Se)

Vs

McCAIN, ET AL
Defendants/Appellees

MOTION FOR PRELIMINARY INJUNCTION

Urgent Motion under Circuit Rule 27-3(b)

Anthony P. Keyter
(Pro Se)
6200 Soundview Drive, R201
Gig Harbor, WA. 98335
Telephone: (253) 853-3859

MOTION FOR PRELIMINARY INJUNCTION

There is a criminal conspiracy afoot to intimidate the Plaintiff/Appellant; to retaliate against the Plaintiff/Appellant; to neutralize Anthony P. Keyter as Plaintiff /Appellant and as a prime witness to crimes in the case; to remove key evidence from the court; to corruptly dismiss the case from courts without due process; to obstruct justice; to deny rights; and to render criminal assistance to known criminals. To date there are 377 known conspirators in the conspiracy. The 31 Defendants/Appellees in this case are party to that conspiracy.

A fundamental issue of the Complaint in this case is restitution for harm and loss caused by ongoing crimes committed by Defendants and their co-conspirators, and prevention and termination of that harm. An Appeal became necessary when the District Court did not address this essential issue of the case. This urgent Injunction has now become necessary - pending determination of the Appeal - as the crimes and their concomitant harm upon the Appellant continue unabated with increased severity, and action is yet to be taken against the Defendants and their co-conspirators for the crimes of the conspiracy.

Appellant Anthony P. Keyter respectfully moves this Court for injunctive relief against the Defendants, and against persons in active concert with them in this conspiracy. The objective of this injunction is to enjoin the Defendants and their co-conspirators listed in Appendix 1 to cease from further retaliation and harm against the Appellant as a prime witness to crimes committed by the Defendants and their co-conspirators, which crimes have been filed with this court in this case. A concomitant objective of this injunction is to prohibit the Defendants and their co-conspirators from committing further offenses against the United States regarding this case.

The Court is requested to address the substance underlying the case, which relates to the major criminal conspiracy and the deluge of harmful crimes committed by the conspirators, and to condone minor but unintentional deviations from rules or procedures by the pro se Appellant.

RELIEF REQUESTED

This urgent motion for a preliminary injunction is filed to obtain the following immediate relief:

PART I

The 9th Circuit Court of Appeals is respectfully requested to issue a preliminary injunction against the Defendants, and against their co-conspirators listed herein, to:

1. Prohibit any acts of intimidation of the Appellant, or retaliation against the Appellant in this case, and against his immediate family, either directly or indirectly.
2. Prohibit any illegal acts which may harm the Appellant or his immediate family.
3. Prohibit the removal of, or tampering with in any way, court evidence in this case, or in US Supreme Court case no. 05-140.
4. Prohibit any acts which may deny Appellant due process in the courts.
5. Prohibit any acts which may deny Appellant his Constitutional rights.
6. Prohibit the illegal interception of Appellant's communications in violation of the tenets of the Patriot Act. This order to stand until the criminal investigations into the crimes presented herewith in Appendices 2 & 3 are complete and the law has been administered upon the perpetrators of the harmful acts.

PART II

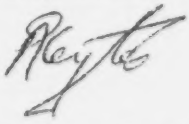
The 9th Circuit Court of Appeals is respectfully requested to compel the Defendants and their co-conspirators to restore the record in: the US Supreme Court case no. 05-140, which has been criminally altered and removed by conspirators; and in the US District Court case status conference transcript, as described below. In the US Supreme Court, forty one (41) out of forty seven (47) documents filed, which documents have a direct bearing upon the administration of the laws upon the Defendants in *this case*, and their co-conspirators, have been criminally removed from the court record and the US Supreme Court Justices have been denied sight thereof.

PART III

The 9th Circuit Court of Appeals is respectfully requested to terminate the harmful conspiracy and administer the laws upon the Defendants and their co-conspirators for the crimes presented in the criminal dossiers in Appendices 2 & 3.

Dated: May 9, 2006

Respectfully submitted,



Anthony P. Keyter, Pro Se

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

BACKGROUND/ FACTS

In January 2002, the Appellant suffered the seizure of his de jure property through illegal action by the Washington State Government. The Appellant sought 'protection of the laws' against that illegal action in the courts, as is his inalienable right secured to him by the Constitution of the United States and the Constitution of Washington State. However, in order to shield malfeasant government officials responsible for the illegal seizure, that 'protection of the laws' was denied the Appellant by government officers who had a duty to administer and enforce the laws. By failing their statutory duties, and by shielding felonious colleagues, the latter mentioned officers themselves fell foul of the law. They violated the tenets of 18USC3, 18USC4, 18USC1505, (Statutes: Appendix 4) and joined in the conspiracy against rights – the rights to the protection of the laws and ownership of rightful property.

As the Appellant approached a growing number of government/law enforcement/judicial officials in his efforts to seek justice, the criminal endeavor within government to cover up the crimes and to protect felonious colleagues, escalated into the major criminal conspiracy it is today. Officials implicated in this conspiracy range from junior policemen to the highest authorities in the land. This obstruction of justice and criminal conspiracy is well documented in the criminal dossiers attached as Appendix 2, titled "State-Supported Tyranny upon the Populace", and Appendix 3, titled "Dossier of Crimes".

In a further attempt to redress the wrongs, Appellant sought both civil and criminal restitution in the courts of the

United States. However, the judicial system has also failed to address the staggering level of criminal offenses perpetrated by government officials. In each case, corrupt and politically motivated judges joined forces with the conspirators and have, in violation of the law, dismissed the cases before trial in order to protect lawbreaking government officials. In a further effort to counteract and nullify the court cases, the conspirators embarked upon theft of court records, illegal removal of incriminating evidence, manipulation of court judgments, and a path of malicious intimidation and retaliation against the Appellant as primary witness to the crimes of government officers.

The aims of the intimidation and retaliation are:

a. To illegally deprive the judicial system of key documents and evidence in order to obstruct the efficacy of the court in dealing with the crimes of the Defendants and their co-conspirators (The crimes are filed with this court and with the US Supreme Court).
b. To neutralize the Appellant as a key witness to the crimes of Defendants and co-conspirators.
c. To corruptly contrive circumstances that will render the Appellant without standing or capacity to continue acting in the courts.
d. To dismiss this case against the Defendants without due process of the law.

The acts by the Defendants and their co-conspirators to achieve these aims are described below and are more fully dealt with in Appendices 2 & 3. A synopsis, which provides a broader background, is tabled in these appendices, Chapter 0.2 or Chapter 1 respectively.

TAMPERING WITH AND ILLEGAL REMOVAL OF COURT EVIDENCE

Illegal Alteration of District Court Record

The transcript of the status conference in the case *Anthony P. Keyter vs. 230 Government Officers* in the US District Court, Western District of Washington, was altered by the presiding judge to remove incriminating statements from the court records. (Further described in Appendix 3, "Dossier of Crimes", Chapter 18.24, page 5). Underlying this case are multiple felonies perpetrated by many of the Defendant's co-conspirators listed herein.

Illegal Removal of US Supreme Court Record

Appellant filed petitions for writs of certiorari and mandamus against President Bush in the Supreme Court case no. 05-140: *Anthony P. Keyter vs. George W. Bush.* Underlying these petitions are multiple felonies perpetrated by the President and by many of the co-conspirators listed herein, who include the Defendants. Prima facie evidence was filed as supporting documentation. In an illegal attempt to escape civil and criminal prosecution, the conspiracy removed incriminating documents and evidence from the Supreme Court. In fact, 41 out of 47 documents filed in that case were illegally removed from court and the Justices of the Supreme Court have been denied sight thereof. *All documents* containing details of crimes committed by the Defendants in *this case*, and their co-conspirators, are amongst those papers removed from the US Supreme Court. This conduct furthered the aims of each member of the illegal conspiracy to evade and obstruct criminal justice, and to render assistance to lawbreaking peers. A list of the missing documents and further details of the crimes can be found in Appendix 2, Chapter 1, in the document "Affidavit of Complaining Witness/Criminal Complaint of March 4, 2006."

Removal of Petition for Mandamus

In particular, the fraud around and the removal of the *petition for writ of mandamus* from the Supreme Court, has furthered the illegal aims of the Defendants and their co-conspirators. The aim of the mandamus order was to command President Bush to take care that the laws are administered on the criminal conspirators. This petition was filed seven times with the US Supreme Court, but was, on each and every occasion, illegally removed from the court records by conspirators. By preventing the issue of this order by the Supreme Court, the Defendants and their co-conspirators escaped criminal culpability. (Appendix 2, Chapter 1)

Removal of Certiorari Petition - Keyter vs. Keyter

A Petition for Writ of Certiorari in the case *Keyter vs. Keyter* filed in the US Supreme Court on January 27, 2006; again on February 17 and March 10, 2006; and once more on March 29, 2006, was four times consecutively and corruptly removed from the court. Attached to the petition were the criminal dossiers detailing official misconduct and criminal behavior by the 377 conspirators.

Theft of Criminal Dossiers

The criminal dossiers, the 'Dossier of Crimes' and the dossier titled 'Tyranny upon the Populace', which details a large parcel of crimes committed by the 377 conspirators, including the Defendants, was removed and appears nowhere in the court record. On 6 previous occasions, earlier Revisions of the above titled dossiers were illegally removed from the US Supreme Court Records. The thieving and removal of these dossiers furthered the aims of the criminal conspiracy of all 377 conspirators, including the Defendants, and assisted them to escape justice. (Further described in Appendix 2, Chapter 1.2).

Theft of Criminal Complaint of March 4, 2006.

On March 4, 2006, criminal charges relating to intimidation of a witness, theft of court record, misprision of felony, and other harmful crimes were filed against President Bush and

38 others in the US Supreme Court in case no. 05-140. However, the Affidavit of Complaining Witness /Criminal Complaint of March 4, 2006, was also illegally removed from court records before the Justices had sight thereof or deliberated thereupon. Once more, on March 14, 2006, these documents were filed with the US Supreme Court clerks, and once again they were removed at the behest of the criminal conspirators. Once more the Defendants and their co-conspirators escaped criminal prosecution through the co-operative illegal acts of the conspiracy.

INTIMIDATION

Judge Tampers with Witness in District Court

The presiding judge in the case *Anthony P. Keyter vs. 230 Government Officers* in the US District Court, Western District of Washington, knowingly used intimidation and threats to corruptly attempt to dissuade or prevent the Appellant from communicating information relating to the commission of federal offenses committed by the 230 officers in that case. (Further details in Appendix 3, Dossier of Crimes, Chapter 18.24, page 4).

Washington Assistant Attorney General Threatens Witness

The Assistant Attorney General for Washington State, acting as counsel for some of the 230 government officers in the District Court, joined forces with the malfeasant judge, reiterated and amplified the threats, and was joined by all the 230 government officers in her intimidation in order to prevent the reporting of their crimes. (Further details in Appendix 3, Dossier of Crimes, Chapter 18.26, pages 3&4).

Criminal Plot to Intimidate and Retaliate.

On February 9, 2006, the Appellant filed a criminal complaint (Chapter 1.2) in the US Supreme Court for extensive theft of the record in case no. 05-140: *Anthony P. Keyter vs. George W. Bush* – a case intended, amongst others, to compel President Bush to take care of the faithful

execution of the laws pertaining to the crimes of the conspirators, including the Defendants in *this* case. Within 24 hours of those charges being filed, the conspirators cooperatively hatched a plot to retaliate against the Appellant. The execution of this criminal plot is well under way through the offices of the White House, the Boeing Company, the Federal Aviation Authority, and through the courts, on behalf of the 377 conspirators, as described below. (Further described in Appendix 2, Chapter 1.2).

The Boeing Company Threatens Termination of Employment.

In an arrangement beneficial to all the conspirators, the White House and the Boeing Company immediately embarked upon a course of intimidation upon the Appellant via threats of termination of employment, and scuttling of his professional career. (Further described in Appendix 2, Chapter 1.2).

Supreme Court Police Intimidates and Harasses Appellant

The Supreme Court Police intimidated and harassed Appellant when he reported to them the theft of record from the Supreme Court. (Further described in Appendix 2, Chapter 1.2).

RETALIATION AGAINST THE APPELLANT

Slander

Following the filing of the criminal complaint on February 9, 2006, and under direct orders from the President, White House aids contacted Appellant's employer, the Boeing Company, and maliciously slandered his good name. (See Appendix 2, Chapter 1.2).

Destruction of Appellant's Livelihood.

On March 10, 2006, the Boeing Company implemented their earlier threats, retaliated against the Appellant for filing the criminal complaint and discharged him from his 17-year employment at the company on fabricated pretext, and

thereby destroyed Appellant's livelihood. These steps resulted directly from Appellant's filing of criminal charges against those conspirators who have removed evidence of the illegal conspiracy.

Obstructing Appellant in the Free Exercise of his Profession

The malevolent and illegal retaliation has not ceased, but is persisting. The conspirators continue in their efforts to destroy Appellant's livelihood and to obstruct his ability to earn an income. In collusion with the Federal Aviation Authority (FAA) conspirators have temporarily blocked Appellant from using his federal flying license, and corrupt efforts are under way to have his license revoked. (Appendix 2, Chapter 1). In this way conspirators have prevented him from finding another job in his profession as a pilot, with the objective of destroying his financial resource and ability to pursue the court actions against the Defendants and their co-conspirators.

Fraudulently Seeking 'Mental Incapacity'

Attempts were made by the conspirators, acting through the Boeing Company, to have the Appellant fraudulently certified as 'mentally incapacitated' to hold legal standing. The Conspiracy's objective was to neutralize the Appellant as a civil litigant and as the key witness to the felonies committed by the conspirators. In this way the conspirators could escape criminal culpability. These attempts are well documented. The attempts were foiled. However, further attempts are presently under way through the FAA.

Threats to Appellant's Freedom and Personal Liberty.

Conspirators, acting through the Boeing Company, made an attempt to curtail the freedom and personal liberty of Appellant by fraudulent means. This initial attempt was foiled. However, further attempts are now afoot with the aid of the FAA.

Deprivation of Appellan 's tPrivacy

Appellant has been deprived of his privacy through the illegal interception of all his communications, in violation of the tenets of the Patriot Act. This is a further display of abuse of power and of state machinery, in a co-operative endeavor by the conspirators.

Deprivation of Appellan 's tRights

The conspirators have also retaliated against the Appellant by denying him the right to the protection of the law. Each of the 349 conspirators who holds (or held) an official position conspired to deny Appellant the right to the protection of the laws. By willfully withholding and failing their individual duties, the state functions were thwarted and the Appellant's rights were deprived.

CRIMINAL CONSPIRACY TO COMMIT OFFENSE AGAINST COMPLAINANT AND THE STATE

The cooperative criminal acts committed by the 377 conspirators and described above, furthered the common aims of, and were of mutual benefit to, all 377 conspirators listed below. The illegal removal of the criminal dossiers from the US Supreme Court Record suppressed information of the crimes of *all* the conspirators. The illegal removal of the mandamus petition from the Supreme Court Record saved *all* the conspirators, including the Defendants in *this case*, from a court order enforcing criminal investigation and resultant prosecution of their crimes. It is the combined action by conspirators that has served to defeat the course of justice so absolutely - one conspirator or group performing one part of the criminal act, another, the other part of the act. For instance: one conspirator committing the crime of intimidating and retaliating against the Appellant, the other illegally protecting that lawbreaking colleague by failing to investigate or prosecute the crime.

A case in point is the case of Judge Lovell who illegally intimidated and threatened Appellant in order to dissuade Appellant from filing criminal charges against the 230 malfeasant government officers. (Appendix 3, Chapter 18.24, p4&5). Jennifer Meyer, the Assistant Attorney General for Washington State, joined forces with the malfeasant judge and reiterated and amplified the threats. The Appellant filed criminal charges against Jennifer Meyer for intimidation. (Appendix 3, Chapter 18.26, p3&4). Her crimes were filed with, but were criminally discarded by policemen, prosecutors, judges, the Washington State Chief Justice, the Attorney General and Deputy Attorney General, Governor, and ultimately all of the 230 malfeasant government officers - all of whom have a duty to address her crimes. The 230 officers withheld their government functions to administer or enforce the laws on either Jennifer Meyer or Judge Lovell in a conspiratorial closed loop of mutual protection of one another – to the exclusion of the cause of state, and rights of the Appellant to the protection of the laws.

FURTHER RET LAATION AND OFFENSES PLANNED

This cooperative endeavor amongst the 377 conspirators to commit offense against the Appellant and the state, or to assist in the commission thereof, was amply demonstrated during the period March 13 to 25, 2006. Meetings were held between representatives of the different groupings of conspirators, under the auspices of US Attorney General Gonzales, to plot their evasion of criminal culpability for crimes committed and to render criminal assistance to one another, and to plot further retaliation against the Appellant.

There is indeed a grim threat and a high probability of further retaliation against the Appellant on behalf of the 377 conspirators, including: serious physical

harm; incarceration and curtailment of his freedom and personal liberty; a break-in and theft of incriminating documents or removal of incriminating evidence from the Appellant's apartment with a phony search warrant corruptly obtained. Moreover, there are many high profile and politically powerful officials amongst the Defendants in this case and their co-conspirators. Their propensity to malice, and the absolute impunity with which they can violate the laws, is amply demonstrated in the 1600 pages of the criminal dossiers attached hereto as Appendices 2 & 3. When the extent of their legal predicament is considered, an attempt on Appellant's life cannot be ruled out.

CONCLUSIÓN

The objective of this injunction is to prevent further retaliation and harm upon the Appellant, and to prohibit the Defendants in this case, and their co-conspirators, from committing further offenses against the United States. Accordingly, this urgent motion for a preliminary injunction is filed to obtain immediate relief.

Dated: May 9, 2006

Respectfully submitted,

Anthony P. Keyter, Pro Se

APPENDIX 1 [to Motion for Injunction]

LIST OF 377 CRIMINAL CONSPIRATORS

The White House: President George W. Bush; Vice President Dick Cheney; Secretary of State Condoleezza Rice.

US Congress: John McCain; Jon Kyl; Bill Frist; Mitch McConnell; Ted Stevens; Rick Santorum; Joe Lieberman; Orrin G. Hatch; F. J. Sensenbrenner.

US Department of Justice: John Ashcroft; Alberto Gonzales; Ralph Boyd, Jr; Albert Moskowitz; Ysmael Fonseca; Norman Hillman; Lisa Frank; James Comey; John C. Keeney; Ralph Boyd, Jr; Paul D. Clement. **US Attorney:-** Robert Brouillard; John McKay; Donald Currie; Kenneth Wainstein; Roscoe C. Howard; Mark E. Nagle; Carol Catherman; **FBI:-** Robert Mueller; Daniel D. O'Brien; Patricia Ferrick; Ellen D. Glass; Charles Mandigo; Danny Barkley; Unnamed female Agent (on Duty, 3.30pm, March 5, 2003); Laura Laughlin; **Secret Service:-** Mark Meisner; Mike Jolly; Unnamed Secret Service Agent.

US Marshals: George Walsh; Robert Robeson; Jim David.

Federal Aviation Administration: Barbara Biel; Michael Jones; FAA Designee Eric Jensen.

US Supreme Court: Justice John G, Roberts; **Clerks:** William K. Suter; Gail Johnson; Lynn Holtz; Mr. Atkins; Mr. Christopher Vasil; **Supreme Court Police:-** Ross Swope; Jeff Smith; Jeff Banaszak; Krista Jaffe; Officer Quigley; Officer Moore; Officer Gordon.

US Court of Appeals: **DC Cct**:- Judge Douglas H. Ginsberg; Judge Merrick B. Garland; Judge Karen L.

Henderson; Judge Judith W. Rogers; Judge David B. Sentelle; Judge Harry T. Edwards; Judge A. Raymond Randolph; Judge Laurence H. Silberman; Judge David S. Tatel; Judge Stephen F. Williams; **Federal Cct:-** Judge Paul Michel; **Clerks:** Mr. Hoskin. **9th Cct:-** Judge Mary M. Schroeder; Judge S. Reinhardt; Judge M.D. Hawkins.

US District Court: **DC-** Judge Hogan; Judge Emmet G. Sullivan; Judge John Focciola; **Assistant:** Sarah Hodges. **Western Washington:** Judge C.C. Lovell; Judge R. J. Bryan; Judge R.S. Lasnik; **Arizona:** Judge David G. Campbell;

Washington State Supreme Court: Commissioner Geoffrey Crooks; Justice Gerry Alexander; Justice Bobbe J. Bridge; Justice Tom Chambers; Justice Mary E. Fairhurst; Justice Faith Ireland; Justice Charles W. Johnson; Justice Barbara Madsen; Justice Susan Owens; Justice Richard B Sanders.

Washington State Court of Appeals: Judge David H. Armstrong; Judge C.C. Bridgewater; Judge Christine Quinn-Brintnall; Judge Elaine Houghton; Judge Robin J. Hunt; Judge Dean J. Morgan; Judge Marywave Van Deren. **Clerks:-** Mr. Ponzoha; Ms. Syl.

Washington State Superior Court: Judge Sergio Armijo; Judge Rosanne Buckner; Judge Brian Chushcoff; Judge Bruce W. Cohoe; Judge Ronald Culpepper; Judge Frank E. Cuthbertson; Judge Thomas J. Felnagle; Judge Frederick W. Fleming; Judge Beverly G. Grant; Judge Vicki L. Hogan; Judge Thomas P. Larkin; Judge Linda C.J. Lee; Judge John A. McCarthy; Judge Kathryn J. Nelson; Judge James Orlando; Judge D. Gary Steiner; Judge Katherine M. Stolz; Judge Brian Tollefson; Judge Kitty-Anne van Doornick; Judge Lisa Worswick; Judge Stephanie Arend;

Commissioner Robyn Lindsay; Commissioner James Marshall; Judge Deborah Fleck.

Washington State Employees: **Executive:-** Christine Gregoire; Gary Locke; Brad Owen; Sam Reed; **Attorney General's Office:-** Jeffrey Goltz; Robert McKenna; Craig Wright; Jennifer Meyers; **State Patrol:-** John Batiste; Ronal Serpas; Lt. Davis; Sergeant Dahl; Joe Olson. **Washington State Committee on Judicial Conduct:-** Sherry Appleton; Vivian Caver; Marianne Connelly; Gregory Dallaire; Judge Michael E. Donohue; Margo Keller; Connie Michener; Ruth Reukauf, Judge; John A. Schultheis, Judge; K. Collins Sprague; Todd K. Whitrock; Mary Kay Becker, Judge; John McCarthy, Judge; Antonio Cube, Sr.; Joseph Delay; Judie Fortier; Nora Gallaher; Lorraine Lee; Wanda Briggs; Mike Sotelo; Betsy Wilkerson; Judge Clark; David Akana; Barrie Althof. **Washington State Executive Ethics Board:-** James Vaché; Marilee Scarbrough; Laquita Fields; Paul Zellinski; Trish Akana; Brian Malarky; **Washington State Legislative Ethics Board:-** Paul Aldinger; James Anderson; William Asbury; John Betrozoff; Ruth Schroeder; Mike O'Connell. **Washington State Senate:-** Don Benton; Dale Brandland; Lisa Brown; Don Carlson; Alex Deccio; Mark Doumit; Tracey Eide; LukeEsser; Darlene Fairley; Bill Finkbeiner; Rosa Fanklin; Karen Fraser; Patricia Hale; Jim Hargrove; Mary Margaret Haugen; Mike Hewitt; Jim Honeyford; Jim Horn; Stephen Johnson; Jim Kastama; Karen Keiser; Adam Kline; Jeanne Kohl-Welles; Rosemary McAuliffe; Bob McCaslin; Bob Morton; Joyce Mulliken; Bob Oke; Linda Evans Parlette;Erik Poulsen; Margarita Prentice; Marilyn Rasmussen; Aaron Reardon; Debbie Regala;Pam Roach; Dino Rossi; Dave Schmidt; Larry Sheahan; Betti Sheldon;Tim Sheldon; Paull Shin; Harriet Spanel; Val Stevens; Dan Swecker; Pat Thibaudeau; James West;Shirley Winsley; Joseph Zarelli. **Washington State House of Representatives:-**John Ahern; Gary Alexander;

Glenn Anderson; Mike Armstrong; Barbara Bailey; Brad Benson; Jean Berkey; Brian Blake; Marc Boldt; Jim Buck; Roger Bush; Jack Cairnes; Tom Campbell; Michael Carrell; Bruce Chandler; Maralyn Chase; Frank Chopp; Jim Clements; Judy Clibborn; Eileen Cody; Cary Condotta; Steve Conway; Mike Cooper; Don Cox; Larry Crouse;Jeannie Darneille; Richard DeBolt; Jerome Delvin; Mary Lou Dickerson; Hans Dunshee; Jeanne Edwards; William Eickmeyer; Doug Ericksen; Dennis Flannigan; Bill Fromhold; Jeff Gombosky; Bill Grant; Kathy Haigh; Shirley Hankins; Brian Hatfield; Bill Hinkle; Janéa Holmquist; Zack Hudgins; Sam Hunt; Ross Hunter; Fred Jarrett; Ruth Kagi; Phyllis Gutierrez Kenney; Lynn Kessler; Steve Kirby; Dan Kristiansen; Patricia Lantz; Kelli Linville; John Lovick; Dave Mastin; John McCoy; Joe McDermott; Joyce McDonald; Jim McIntire; Lois McMahan; Cathy McMorris; Thomas Mielke; Mark Miloscia Jim Moeller; Dawn Morrell; Jeff Morris; Edward Murray; Daniel Newhouse; Toby Nixon;Al O'Brien; Ed Orcutt; Kirk Pearson; Eric Pettigrew; Cheryl Pflug; Skip Priest; David Quall; Dan Roach; Phil Rockefeller; Sandra Singery Romero; Laura Ruderman; Sharon Tomiko Santos; Lynn Schindler; Mark Schoesler; Shay Schual-Berke; Barry Sehlin; Jan Shabron; Geoff Simpson; Mary Skinner; Helen Sommers; Brian Sullivan; Bob Sump;Gigi Talcott; Rodney Tom ; Dave Upthegrove; Velma Veloria; Deb Wallace; Alex Wood; Beverly Woods.

Illinois State Government: Rod R. Blagojevich; Lisa Madigan.

The Boeing Company and Associate: John Biggs; John E. Bryson; Linda Z. Cook; Kenneth M. Duberstein; John F. McDonnell; W. James McNerney, Jr.; Richard Nanula; Rozanne L. Ridgeway; John M. Shalikashvili; Mike S. Zafirovski; Allan Mullaly; Douglas G. Baine; Richard Stephens; Bonnie Soodek; Tom Pickering; Ken Higgins;

Martha Ries; Dinesh Keskar; Mike Coker; Linda Enebrad; Butch Moody; Kevin King; **Boeing Business Associate, Air India: -** Mr. V. Thulasidas.

Pierce County: Council:- John Ladenburg; Shaun Bunney; Paul Bocchi; Barbara Gelman; Calvin Goings; Terry Lee; Harold Moss; Kevin Wimsett; **Pierce County Sheriff's:-** Paul Pastor; Graig Adams; Deputy Bram; **Pierce County Prosecutors:-** Gerald Horne; Gerald Costello; Daniel R. Hamilton.

Tacoma City: Councilors:- Bill Baarsma; Bill Evans; Connie Ladenburg; Mike Lonergan; Sharon McGavick; Doug Millar; Bil Moss; Kevin Phelps; Rick Talbert; **Tacoma Police:-** Donald Ramsdell; Catherine Woodard; **Attorney:** Jon J. Walker.

City of Gig Harbor: Police Department:- Mike Davis, Mitch Barker; Officer Entze. **Attorney:** Carol A. Morris.

Maureen E. Keyter; Attorney Mike Turner.

APPENDIX 2 [to Motion for Injunction]
The dossier titled "State-supported Tyranny upon the Populace" is filed separately due to its bulk.

APPENDIX 3 [to Motion for Injunction]
The dossier titled "Dossier of Crimes" is filed separately due to its bulk.

APPENDIX 4 [to Motion for Injunction]
Appendix of statutes

Supreme Court, U.S.
FILED
061069 JAN 0 - 2007
OFFICE OF THE CLERK

No. _____

In The

Supreme Court of the United States

Anthony P. Keyter

Petitioner

versus

McCain, et al.

Respondents

Supplemental Appendix 3

Petition for Writ of Certiorari to the United States Court of Appeals for the 9th Circuit

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Anthony P. Keyter (Pro Se)
6200 Soundview Drive, R201
Gig Harbor, WA. 98335
Telephone: (253) 853-3859

APPENDIX 3

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

JUDGMENT IN A CIVIL CASE

Anthony P. Keyter
v.
John McCain, et al.,

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

_X__ **Decision by Court**. This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED having granted Defendants Motion to Dismiss, this action is dismissed. Plaintiff shall take nothing.

January 17, 2006

RICHARD H. WEARE
District Court Executive/Clerk

S/ Lisa Fettis
(By) Lisa Fettis
Deputy Clerk

Cc: (all counsel)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Anthony P. Keyter,
Plaintiff,
vs.
John McCain, et al.,
Defendants.

No. CV-05-1923-PHX-DGC

ORDER

Pro se Plaintiff Anthony P. Keyter has filed a complaint against Senators John McCain and Jon Kyl alleging that they breached their common law, moral, and statutory duties by failing to investigate wrongful conduct by President George W. Bush and other federal and state officials who allegedly have disregarded the commission of 1.6 million crimes. Doc. #1. Defendants McCain and Kyl have moved to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) and (6). Doc. #9. Plaintiff has filed a response and Defendants have filed a reply. Docs. ##13, 18. For the reasons set forth below, the Court will dismiss this action for lack of subject matter jurisdiction.

Background

This is not Plaintiff's first legal action. The wrongs alleged in his complaint arise out of Plaintiff's marital dissolution proceedings in the State of Washington. Plaintiff has litigated various claims and appeals in Washington state court, has filed a lawsuit against President Bush in the United States District Court for the District of Columbia, and has sued 230 state and federal government officials in the United States District Court for the Western District of Washington. These

lawsuits arose from the same or similar grievances as this case, and all have been dismissed. Plaintiff's litigation activities are described in some detail in *Keyter v. 230 Government Officers*, 372 F. Supp. 2d 604, 605-08 (W.D. Wash. 2005). The Court also notes that the United States Supreme Court has denied Plaintiff's petition for writ of certiorari arising from his action in the District Court for the District of Columbia. *See Keyter v. Bush*, 126 S. Ct. 386 (2005).

This action originally was brought only against Defendants McCain and Kyl. *See* Doc. #1. After these Defendants filed their motion to dismiss, Plaintiff filed a Certificate of Service that purported to attach a "First Amended Complaint/Action to Compell" (sic) that added 29 additional defendants. Doc. #11, Attach. 1. These include the Vice President, Secretary of State, current and former Attorneys General, Director of the FBI, United States Attorneys and Assistant United States Attorneys, five additional Senators, two District Court judges, nine members of the United States Court of Appeals for the District of Columbia Circuit, the Chief Justice of the United States (in his capacity as a former member of the D. C. Circuit), and others. *See id.* The allegations, claims, and prayer for relief in the amended complaint are virtually identical to those in the initial complaint. *Compare* Doc. #11, Attach. 1,*with* Doc. #1.

Discussion

I. The Operative Complaint.

Plaintiff's amended complaint was issued after Defendants McCain and Kyl had moved to dismiss this action. Plaintiff was entitled to amend his complaint without leave of court at that point because the motion to dismiss did not constitute a "responsive pleading" within the meaning of Federal Rule of Civil Procedure 15(a). *See* Wright, Miller & Kane, *Federal*

Practice and Procedure: Civil 2d § 1483 at 585 & n.9 ("[C]ourts have held that the filing of a motion to dismiss will not prevent a party from subsequently amending without leave of court[.]"). Plaintiff did not purport to amend as of right, nor did he formally move to amend his complaint. He filed a certificate of service that attached a copy of the amended complaint and a notice and ex parte motion for joinder. *See* Docs. ##11-12, 19. Because Plaintiff is proceeding pro se, however, the Court will deem these filings as Plaintiff's assertion of the amended complaint as a matter of right under Rule 15(a). *See Bernhardt v. L.A. County*, 339 F.3d 920, 925 (9th Cir. 2003) ("Courts have a duty to construe pro se pleadings liberally, including pro se motions as well as complaints."). As a result, the Court will treat Plaintiff's amended complaint as the operative pleading for purposes of this Order.

II. Plaintiff's Tort Claims.

Plaintiff alleges generally that Defendants owed him a legal duty not to breach the laws of the United States and that Defendants maliciously and recklessly violated that duty and caused him harm. Doc. #11, Attach. 1 ¶ 2. Plaintiff purports to allege common law tort claims against Defendants in counts one, two, three, five, and seven of the amended complaint. *Id.* ¶¶ 34-57, 66-74, 85-86. Plaintiff seeks compensatory damages in the amount of $10 million against each Defendant. *Id.* ¶ 87.

The Federal Tort Claims Act ("FTCA"), as amended, bars claims against employees of the United States for injuries arising from their negligent or wrongful acts or omissions while acting within the scope of their office or employment. 28 U.S.C. §§ 2674, 2679(b)(1). Relief for such injuries may be sought only against the United States and only after exhausting administrative remedies. *See* 28 U.S.C. §§ 2675, 2679(b)(1). Because Plaintiff has not sued the United States

or alleged that he has exhausted his administrative remedies, his claims must be dismissed for lack of subject matter jurisdiction. *See* 28 U.S.C. §§ 2675(a), 2679(b)(1)[1].

Plaintiff attempts to avoid the preclusive effects of the FTCA by claiming that he has sued Defendants in their personal, not their official, capacities. Indeed, the first sentence of Plaintiff's amended complaint states that Plaintiff "brings this civil action for damages against Defendants **in their personal capacities**." Doc. #11, Attach. 1 ¶ 1 (emphasis in original). The allegations in Plaintiff's complaint, however, make clear that Plaintiff has sued Defendants based on acts or omissions within the scope of their federal offices.

Plaintiff alleges the following: "[w]hen President Bush, as Chief Executive of the nation failed to abide by the law, the Defendants were requested by way of *their* position of authority under the United States to see to the execution of the laws" (¶ 17) (emphasis in the original); "[e]ach Defendant was requested to perform his/her specific duties under the law regarding the crimes of the President and the other government conspirators" (¶ 18); "[e]ach Defendant holds a special position of trust in society and a pertinent position in government to deal with violation of law" (¶ 19); "[e]ach Defendant had a duty to deal with the crimes, but each Defendant failed" (¶ 28); "Plaintiff will petition this Court for a mandamus to compel each Defendant to deal with the particular parcel of criminal allegations placed before

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[1] The FTCA was amended in 1988 by the Federal Employees Liability Reform and Tort Compensation Act, commonly known as the Westfall Act. 28 U.S.C. § 2679. This Act "conferred immunity to federal employees acting within the scope of their office or employment[.]" *Adams v. United States*, 420 F.3d 1049, 1052 & n.3 (9th Cir. 2005); *see United States v. Smith*, 499 U.S. 160, 163 (1991) ("The Act confers such immunity by making an FTCA action against the Government the exclusive remedy for torts committed by Government employees in the scope of their employment.").

him/her, each according to his/her own statutory duties" (¶ 29); Plaintiff seeks "to compel these delinquent servants of the people to perform their duty to see to the welfare of the people, which duty is obligated by law" (¶ 31); Plaintiff seeks an order from the Court "[c]ompelling [D]efendant(s) to obey the law and to comply with and to execute his/her particular statutory duties with respect to the particular parcel of allegations of multiple crimes presented to him/her by the Plaintiff" (Prayer for Relief ¶ 7).

In addition to these allegations of failure to perform official duties, Plaintiff alleges that Defendant s failed to act when contacted through their official offices: "Information was provided to the Defendants in a Dossier Crimes filed with the Judiciary Committees of Senate and House, with the courts and with the Department of Justice, which dossier meticulously details and provides prima facie evidence of the crimes committed by the conspirators." Doc. #11, Attach. 1 ¶ 18.

Thus, although Plaintiff seeks to avoid the bar of the FTCA by alleging that he has sued Defendants in their personal capacities, the detailed allegations of his amended complaint make clear that he has sued Defendants for failure to perform their official duties. Such claims are barred by the FTCA. *See* 28 U.S.C. §§ 2674, 2679(b)(1); *Smith*, 499 U.S. at 163; *Kee v. United States*, 168 F.3d 1133, 1135 (9th Cir. 1999) ("As amended, the [FTCA] essentially 'immunizes United States employees from liability' for negligent or wrongful acts committed within the scope of their employment.") (quoting *Green v . Hall*, 8 F.3d 695, 698 (9th Cir. 1993)); *Wilson v. Drake*, 87 F.3d 1073, 1076 (9th Cir. 1996) (stating that as amended, the FTCA "provides that 'the remedy against the United States' under the FTCA 'is exclusive of any other civil action or proceeding for monetary damages'") (citing 28 U.S.C. § 2679(b)(1)) (alteration omitted).

Upon certification that Defendants were in fact acting within the scope of their office as alleged in Plaintiff's amended complaint, the Court generally would substitute the United States as a defendant. *See* 28 U.S.C. § 2679(d)(1). Plaintiff, however, has not alleged that he exhausted his administrative remedies as required by the FTCA. 28 U.S.C. §§ 2672, 2675(a). The Court thus lacks jurisdiction over any tort claims against the United States. *See id.*; *Jerves v. United States*, 966 F.2d 517, 518 (9th Cir. 1992) ("We have repeatedly held that [the] 'claim requirement of section 2675 is jurisdictional in nature and may not be waived.'") (citations omitted); *Brady v. United States*, 211 F.3d 499, 502-03 (9th Cir. 2000) (affirming dismissal where the plaintiff made an administrative claim after filing suit and stating: "Because the [administrative claim] requirement is jurisdictional, it 'must be strictly adhered to. This is particularly so since the FTCA waives sovereign immunity. Any such waiver must be strictly construed in favor of the United States.'") (quoting *Jerves*, 966 F.2d at 521); *Blair v. IRS*, 304 F.3d 861, 868-69 (9th Cir. 2002) (holding that the district court lacked subject matter jurisdiction over the plaintiff's claim for medical expenses because the claim was not properly exhausted with a federal agency under § 2675(a)).

Although the Court might normally allow a plaintiff leave to amend to add allegations of exhaustion, the Court concludes that a second amendment should not be permitted in this case because Plaintiff has filed this action in bad faith and the amendment would be futile. *See W. Shoshone Nat'l Council v. Molini*, 951 F.2d 200, 204 (9th Cir. 1991) (grounds for denying amendment include bad faith and futility of the amendment); *Saul v. United States*, 928 F.2d 829, 843 (9th Cir. 1991) ("A district court does not err in denying leave to amend where the amendment would be futile, or where the

amended complaint would be subject to dismissal.") (citations omitted).

Leave to amend should be freely given when justice requires, particularly for pro se litigants. *See* Fed. R. Civ. P. 15(a); *Flowers v. First Hawaiian Bank*, 295 F.3d 966, 976 (9th Cir. 2002) ("We are very cautious in approving a district court's decision to deny pro se litigants leave to amend."). But Plaintiff is not a typical pro se litigant. Plaintiff has asserted these claims without success in several courts. *See Keyter*, 372 F. Supp. 2d at 605-08. His complaint in the Western District of Washington was dismissed with prejudice and without leave to amend in part because it was frivolous and its prosecution was an abuse of the court system and the defendants. *See id.* at 612. His claim in the District of Columbia was also found meritless. *See Keyter v. Bush*, 2005 WL 375623 at *1 (granting motion for summary affirmance of dismissal order because " [t]he merits of the parties' positions [was] so clear as to warrant summary action"), *cert. denied*, 126 S. Ct . 386. Plaintiff now seeks another forum in which to pursue yet another group of government officials including the judges who ruled on his previous cases. Such a re-assertion of previously dismissed and meritless claims is not brought in good faith and does not warrant further amendment. The Court will not grant leave to amend.

III. Plaintiff's Claims Based on Criminal Statutes.

Three of Plaintiff's causes of action purport to be based on federal criminal statutes. Plaintiff's fourth cause of action is based on 18 U.S.C. § 4, his fifth cause on 18 U.S.C. § 241, and his sixth cause on 18 U.S.C. § 371. Doc. #11, Attach. 1 ¶¶ 58-65, 68, 75-84. But these criminal statutes do not provide a private right of action. Plaintiff is well aware of this fact, having had similar claims dismissed in his federal actions in the District of Columbia and Western District of Washington. *See Keyter v. Bush*, No. 03-2496 *slip op.* at 6-7

(D.D.C. Aug. 6, 2004); *Keyter v. 230 Gov 't Officers*, 372 F. Supp. 2d at 610-11. The Court will again dismiss these claims for failure to state a cause of action.

IV. Dismissal of New Defendants.

The grounds for dismissing the claims against Defendants McCain and Kyl apply equally to the claims against the 29 new Defendants named in Plaintiff's amended complaint. As noted above, Defendant did not change the substance of his complaint when he added these defendants. Because the FTCA does not create a cause of action for tortious conduct against federal officials acting within the scope of their offices, Plaintiff's tort claims must be dismissed. And because federal criminal statutes provide Plaintiff with no private right of action, his claims based on such statutes must be dismissed.[2]

V. Additional Order.

Plaintiff has burdened the Court's docket with voluminous filings. His response to the motion to dismiss and two supplements include 44 attachments encompassing hundreds

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[2] Defendants McCain and Kyl asserted a variety of additional arguments that the Court need not address. The Court notes, however, that Defendants' standing argument cannot form a basis for dismissal at this stage of the litigation. *See Bernhardt v. L.A. County*, 279 F.3d 862, 869 (9th Cir. 2003) (reversing dismissal of pro se litigant's civil rights action because her "general factual allegations [were] presumed to embrace those specific fact s t hat are necessary to support standing") (citation and alterations omitted); *Mendoza v. Zirkle Fruit Co.*, 301 F.3d 1163, 1167-72 (9th Cir. 2002) (reversing dismissal for lack of standing because the plaintiffs "must be allowed to make their case through the presentation of evidence"); *Lujan v . Defenders of Wildlife*, 504 U.S. 55, 561 (1992) ("At the pleading stage, general factual allegations of injury resulting from the defendant's conduct may suffice, for on a motion to dismiss 'we presume that general factual allegations embrace those specific facts that are necessary t o support the claim.'") (citation and alteration omitted).

upon hundreds of pages. As one example, Attachment 1 to Plaintiff's response to the motion to dismiss (Doc. #13) purports to file criminal charges against President George W. Bush and includes more than 30 pages of material supposedly outlining the crimes of the President and his "[s]tate-supported tyranny upon the populous." Because Plaintiff has seriously overburdened the Court's docket with such filings, Plaintiff will be prohibited from filing in this Court any further claim arising from the subject matter of this case. *See Keyter v. 230 Gov't Officers*, 372 F. Supp. 2d at 613.

IT IS ORDERED:

1. The motion of Defendants United States Senators John McCain and Jon Kyl to dismiss the complaint (Doc. #9) is **granted.**
2. Plaintiff's amended complaint against Defendants McCain and Kyl and against 29 additional Defendants (Doc. #11) is **dismissed** in its entirety.
3. All other pending motions (Doc. ##12, 16, and 19) are **denied** as moot.
4. Plaintiff Anthony P. Keyter is prohibited from filing in this Court against any of the 31 named defendants any further claim arising from the subject matter of this case. Any future filing that violates this prohibition will be subject to summary dismissal by the Court and may subject Plaintiff to a citation for Contempt of Court.
5. The Clerk shall **terminate** this action.

DATED this 13th day of January, 2006.

David G. Campbell

United States District Court Judge

FILED
MAY 1 - 2007
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 06-1069

In The

Supreme Court of the United States

Anthony P. Keyter

Petitioner

versus

McCain, et al.

Respondents

PETITION FOR REHEARING

Anthony P. Keyter
(Pro Se)
6200 Soundview Drive, R201
Gig Harbor, WA. 98335
Telephone: (253) 853-3859

PARTIES

Name of Petitioner: Anthony P. Keyter (Pro Se)
Address: 6200 Soundview Dr. R201,
Gig Harbor, WA. 98335
Telephone: (253) 853 3859 Fax: (253) 851 1108

Names of Respondents:
1st Defendant: Senator John McCain
2nd Defendant: Senator Jon Kyl
3rd Defendant: Vice President Dick Cheney
4th Defendant: Dr. Condoleezza Rice - Secretary of State
5th Defendant: John Ashcroft - Former US Attorney General
6th Defendant: Alberto Gonzales - US Attorney General
7th Defendant: Mr. R. Mueller, Director, FBI
8th Defendant: D. O'Brien, Chief, FBI Public Corruption Unit
9th Defendant: US Attorney Kenneth Wainstein
10th Defendant: (Former) US Attorney Roscoe C. Howard
11th Defendant: Assistant US Attorney Mark E. Nagle
12th Defendant: Sp. Assistant US Attorney Carol Catherman
13th Defendant: Bill Frist - US Senator
14th Defendant: Mitch McConnell - US Senator
15th Defendant: Ted Stevens - US Senator
16th Defendant: Rick Santorum - US Senator
17th Defendant: Joe Lieberman - US Senator
18th Defendant: Judge Hogan - US District Court, D.C.
19th Defendant: Judge Sullivan - US District Court, D.C.
20th Defendant: Judge Ginsberg - US Appeals Court, D.C.
21st Defendant: Judge Garland - US Appeals Court, D.C.
22nd Defendant: Judge Henderson- US Appeals Court, D.C.
23rd Defendant: Judge Rogers - US Appeals Court, D.C.
24th Defendant: Judge Sentelle - US Appeals Court, D.C.
25th Defendant: Judge Edwards - US Appeals Court, D.C.
26th Defendant: Judge Randolph - US Appeals Court, D.C.
27th Defendant: Justice Roberts - US Supreme Court, D.C.
28th Defendant: Judge Silberman - US Appeals Court, D.C.

29th Defendant: Judge Tatel - US Appeals Court, D.C.
30th Defendant: Judge Williams - US Appeals Court, D.C.
31st Defendant: Judge Michel - Appeals Court, Fed. Circuit.

Counsel of Record for Respondents:
Federal Respondents: Paul D. Clement, Solicitor General, United States Department of Justice, 950 Pennsylvania Avenue, N.W., Room 5614, Washington, DC 20530-0001.
Senate Respondents: Morgan J. Frankel, Office of the Senate Legal Counsel, 642 Hart Senate Office Building, Washington, DC 20510-7250

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Statutes are provided in Appendix 2

PETITION FOR REHEARING

Anthony P. Keyter petitioned the Supreme Court for a Writ of Certiorari to the United States Court of Appeals for the 9th Circuit, in this case where Petitioner seeks restitution for the harm caused by 31 conspiring Government Officers. In addition, Anthony P. Keyter filed a Criminal Complaint against the Respondents for action by the Supreme Court, and made an urgent appeal for a Preliminary Injunction against further harmful criminal acts by the 31 Respondents and their co-conspirators. Also filed in the case was a Petition for Writ of Mandamus; Motion for Due Process of Law; Motion to Disqualify US Supreme Court Justices; and an Affidavit of Complaining Witness/Criminal Complaint against the US Supreme Court Justices.

The Supreme Court Justices: 1) denied the Petition for Writ of Certiorari on April 13, 2007; 2) failed to address the other motions and petitions; 3) and failed to disqualify themselves from the case under circumstances by which they should have. The Court's actions constitute significant obstruction of justice and of due process of law, are associated with extensive theft of court evidence and other serious crimes, and are illegal. Accordingly the Petitioner requests the respected Institution of the Supreme Court to address the crimes committed in the Court; to address the crimes committed by the Supreme Court Justices and by the Respondents and their co-conspirators; to apprehend the perpetrators pursuant Rules 4&41 of federal criminal procedures; and to return stolen court documents to the record.

Once the record is restored and the sitting Justices have been disqualified from this case, the Supreme Court is petitioned to abide by the laws and the Constitution, to rehear the

Petition for Writ of Certiorari in terms of the laws, and to hear the pertinent petitions and motions filed in the case.

JURISDICTION

The Supreme Court of the United States is authorized to rehear a Petition for Certiorari pursuant to 28USC1651(a) in aid of its respective jurisdiction under 28USC1254.

The Supreme Court is authorized, pursuant to Rule §44 (2) of the Supreme Court Rules, to re-hear this Petition on the grounds of substantial intervening circumstances. Intervening circumstances of a *controlling effect* include the lack of legal standing of the Justices to have decided the case; the illegal theft of incriminating documents from the case records, which theft rendered the denial decision flawed; and the illegality of the judgment on several other counts. Intervening circumstances of a *substantial effect* include the failure by the Supreme Court to address and terminate the serious and continuing crimes of the Respondents, including an ongoing plot by the Respondents and their co-conspirators to kidnap the Petitioner with the intent to murder him.

BACKGROUND / FACTS

The 31 Government Respondents in this case are co-conspirators in a major criminal conspiracy within the government and the courts to obstruct the administration of the laws, defeat the course of justice, provide protection to known criminals, and to deny Petitioner his Constitutional rights to *due process* and *protection of the laws.*

Amongst the Respondents and their co-conspirators are the President of the United States, the Vice President, the Chief Justice, the present and former United States Attorney General, the Chief of the FBI, US Attorneys, leading

Senators, and State Governors. In the midst of those implicated are 99 federal and state judges from as far afield as Washington State, Arizona, Montana, California, and the District of Columbia, as well as State Officers from Illinois and Washington State. At the time of writing, *443 known conspirators* have joined forces with this virulent and harmful criminal conspiracy, of whom 393 are government officers from *52 pertinent government institutions* concerned with law and order.

The crimes committed by the criminal conspirators are legion, and include burglary, perjury, fraud, theft, tampering with evidence, intimidation of the Petitioner, and 2 attempts to inveigle, seize, and kidnap the Petitioner with intent to murder him. Officers of the Boeing Company and the Federal Aviation Authorities facilitated these malevolent kidnap attempts. The attempts were instigated by President Bush and commenced from the US Supreme Court in retaliation against the Petitioner for filing criminal charges against the President and his co-conspirators in Supreme Court case no. 05-140. Although thwarted, this criminal endeavor succeeded in destroying Petitioner's livelihood and career. Subsequent evidence of stalking indicates that the conspirators intend to consummate their sinister plot to tamper with and terminate the key witness to their crimes.

The crimes of the conspiracy are well documented, and prima facie evidence is provided in the 1700 pages of the criminal dossiers titled the '*Dossier of Crimes* , and the dossier *State-supported Tyranny upon the Populace'*. These dossiers, or select parcels from the dossiers, are filed with every one of the 52 government institutions mentioned. The Supreme Court has been supplied with the latest amendments to the dossiers, revised on May 1, 2007. Numerous written requests for protection and enforcement of the laws were directed to officials from, amongst other: the FBI and 7 additional police

departments; state and federal prosecutors; state and federal judiciary committees; a state judicial conduct commission; state ethics boards; bar associations; state and federal attorney general offices; state and federal legislatures; and state and federal executive offices.

Each of the officials approached has a clear legal duty to enforce, administer, or otherwise take care of the faithful execution of the laws. However, in callous disregard of their obligations and the suffering caused, each official willfully neglected to perform their duty to enforce the laws. Five and a half years after the commencement of this debacle, the ever-increasing deluge of crime by officials has yet to be terminated, investigated, and prosecuted. Over *eight thousand written appeals* for justice have to date been shunned by more than *900 officials* from 52 government institutions tasked with law and order. The appeals include several petitions to the 535 members the United States Congress individually. Not one official petitioned has acted to enforce or administer the laws. *Not one.* On the contrary, an intense group effort in the top structures of the government ensued to conceal the crimes and shield the perpetrators from prosecution.

When these officials failed to provide the constitutional protection of the laws', the Petitioner's only remaining recourse was to file civil suit to address the harm and loss caused by their joint criminal acts. *Civil complaints,* petitioning the courts for restitution for ongoing common law injury, and *criminal complaints,* addressing the breaches of criminal statutes, were filed in state and federal courts. However, corrupt state and federal judges lent their full support to the government conspirators, joined forces with their aims to obstruct the course of justice, and denied due process of law in these cases in every conceivable way. The judges repeatedly and willfully neglected to perform their

judicial duties to administer the laws upon lawbreaking officials, and violated the Constitution and the criminal statutes in *each of 17 court cases.*

These facts are well documented in the fraudulent proceedings of those 17 cases, and reveal the depth of depravity in the courts and in the top echelons of United States Government. In the *114 proceedings* of these 17 court cases, all but one of the motions, petitions, affidavits, and criminal complaints, were corruptly denied, dismissed, or simply disregarded. *All but one* – and that motion was granted by default. Pursuant the obligations of the statute 18USC4, the Petitioner made *765 statements or declarations to 99 state and federal judges or justices* - reporting felonies which were committed by lawbreaking government officers. These statements and declarations invoked mandatory judicial duties to attend to the crimes, and also petitioned the judges for protection of the laws from further harmful acts. *Not one* was responded to or addressed. The figures quoted herewith demonstrate that the criminal conspirators have the full backing of the judiciary, as well as their protection from prosecution. There can be no mistaking this fact.

In their turn, the Supreme Court Justices lent their considerable, but corrupt, power to the criminal conspirators to obstruct the administration of the laws, to defeat the course of justice, and to provide protection to known criminals. The Supreme Court Justices were kept fully informed throughout of the developing iniquity in the government and in the lower courts. The criminal dossiers, which provide prima facie evidence of the crimes, have to date been filed with the Justices on 11 occasions. Further details are at their disposal in the numerous documents filed in the 4 interrelated Supreme Court cases that deal with the criminal conspiracy. Those related Supreme Court cases are *Keyter vs. McCain et al.* (no.06-1069); Keyter *vs. President Bush (no.05-140)*;

Keyter vs. 230 Government Officers (no. 06-284); and Keyter vs. Keyter. A further 18 letters/statements to the Justices add to the irrefutable evidence of their extensive knowledge and involvement in the conspiracy.

The Supreme Court Justices aided the criminal conspirators, including the Respondents in this case, to evade justice on no less than *55 occasions* thus far. The failure of the Justices to address the crimes presented to them, discarding their significant judicial obligations, is compelling testimony to their unreserved participation in the major criminal conspiracy to defeat the course of justice, which conspiracy underlies this case.

ARGUMENT

Summary

The denial of the Petition for a Writ of Certiorari is illegal. The Justices have violated the United States Constitution and the statutes on multiple counts. The Justices have joined with the criminal aims of the Respondents and their co-conspirators, and have illegally protected them from criminal prosecution. The Justices lack impartiality and have acted under acute conflict of interest which is untenable in law. The Justices have no legal capacity to decide the case. The judgment is void.

The Justices have committed multiple offences

The Justices have committed multiple violations of the statutes which render their judgment illegal and void. They have failed to recuse themselves under circumstances by which they legally should have recused themselves, violating 28USC144 and 28USC455. They oversaw the illegal removal from the Court Record of key documents in the case, tampering with evidence and violating 18USC1506 - *Theft or Alteration of Record or Process.* By failing to address key

motions / injunctions submitted to Court, and through their failure to terminate the criminal conspiracy underlying this case, the Supreme Court Justices have conspired with one another to deny Petitioner due process and the right to protection of the laws – thereby violating the 14th Amendment, 18USC371, 18USC241 & 242. The Justices aided and abetted the Respondents and co-conspirators to escape apprehension, trial, and punishment; rendered criminal assistance; and became *'accessories after the fact'* to the crimes of the criminal conspiracy. (18USC3).

The Justices are complicit in, or accessory to, the attempts to kidnap and murder the Petitioner in retaliation for filing criminal charges in Supreme Court case no. 05-140, a case against President Bush. The plot was instigated by the President and commenced from the US Supreme Court with the collusion of the Justices, in violation of 18USC1513 – *Retaliation against a Witness.* By failing to initiate investigations of the crimes presented to them involving government officers, the Justices violated 28USC535 (b)(1). By failing to act upon their knowledge of felonies, the Justices violated 18USC4 - *Misprision of Felony.* By acting as Justices of the Supreme Court when not *in good behavior,* they have violated Article III, Section 1 of the Constitution and have committed an act of fraud. By their conduct the Justices dishonored their oath to faithfully and impartially discharge their duties, in violation of 28USC453. The Justices demonstrated contempt for the rules and the laws of the court, violating 18USC401. These and other crimes committed by the Justices are detailed in Appendix 1.

The Justices lack legal capacity

The United States Constitution, Article III, Section 1, dictates that *"...judges, both of the supreme and inferior courts shall hold their offices during good behavior..."*. The Justices of the Supreme Court have committed multiple violations of

law, are clearly not *in good behavior* and accordingly possessed *no legal standing* to adjudge this case.

For the Justices to proffer to the institution of the US Supreme Court that they hold legal standing and were fit to pass judgment in this case when in fact they possessed *no legal standing*, is a profound act of judicial fraud. These facts warrant a *rehearing* by another set of Justices who possess such legal standing.

The Justices lack impartiality

Chief Justice Roberts is a defendant (no.27) in this case and as such correctly disqualified himself from hearing his own case. However, by no stretch of the imagination can it be said that the distinguished Associate Justices possess the required impartiality to hear a case in which their colleague and superior on the bench, Chief Justice Roberts, is a Respondent.

In addition, the Associate Justices have on previous occasions illegally protected the same Respondents from criminal investigation and prosecution. (See Appendix 1 and criminal dossiers). This too, negates their impartiality to hear this case. Furthermore, the Associate Justices are deeply implicated personally in the case. They are *co-conspirators* with the Respondents to the crimes underlying this civil case, as well as *accessories after the fact* to those crimes, further negating any possibility of impartiality. (See Appendix1). Yet the Associate Justices failed to recuse themselves, violating 28USC144 and 28USC455. This iniquity and lack of impartiality warrants a rehearing of the case by another set of Justices who possess such impartiality.

Acute conflict of interest untenable in law

Given the above facts, the Associate Justices acted under an acute conflict of interest in adjudging this case in which

Justice Roberts was a Respondent and in which they themselves were accessories to the crimes underlying the case. This case warrants a rehearing by a new set of justices who are not implicated in the case.

Criminal charges
Criminal charges were lodged with the Court on December 4, 2007, against all 9 sitting Supreme Court Justices. (*See* Appendix 1). Further to those charges, new charges (and additional counts of previous violations) are herewith lodged against 8 Supreme Court Justices - excluding Chief Justice Roberts who recused himself from the case. These charges are detailed in Appendix 1B. Each of the criminal offenses detailed in Appendix 1 adversely affects the decision rendered by the 8 Justices to deny the Petition for Writ of Certiorari, and *justice* dictates a rehearing of the case.

CONCLUSION

In adjudging this case the Justices of the Supreme Court violated multiple laws and rules of the Court. Consequently the decision to deny the Petition for Writ of Certiorari is illegal. Equity demands a rehearing of this case by a different set of Justices who are impartial and not implicated in the case.

RELIEF REQUESTED

The Constitution has been defiled; the criminal statutes violated; justice has been denied; the rights ostensibly afforded to citizens by the Constitution have been desecrated. These acts have been committed with impunity and contempt for the Constitution and the laws by the Honorable Justices of the United States Supreme Court. The institution of the Supreme Court is petitioned to address and set right this iniquitous behavior.

The United States Supreme Court is petitioned to:

1. Arrest the Justices of the United States Supreme Court, according to law, for crimes committed against the United States and the Petitioner.
2. Remove the Justices from the bench.
3. Arrest the Respondents and their co-conspirators, according to law, for crimes committed against the United States and the Petitioner.
4. Restore the court records in the 4 interrelated Supreme Court cases which address the criminal conspiracy within the government - this case, no. 06-1069; and related cases 05-140; 06-284; and Keyter vs. Keyter.
5. Once the sitting Justices have been arrested for their crimes and removed from the bench, and once the stolen documents have been restored to the records of *this* case and its related cases, the Court is petitioned to rehear the cases with the full benefit of all relevant and pertinent documents.
6. The Court is petitioned to afford the Petitioner due process of law, to be afforded with the benefit of a bench who will obey the laws of the United States, and who is not partial to protecting law-breaking government officers from criminal prosecution.
7. The Court is further implored to afford the Petitioner *'protection of the laws'* - protection hitherto denied - against the continuing crimes of 443 known criminal conspirators, including protection against the ongoing plot to kidnap and murder the Petitioner.

Respectfully Submitted,

Anthony P. Keyter (Pro Se)

May 1, 2007

APPENDIX 1A

CRIMINAL CHARGES LODGED AGAINST JUSTICES OF THE UNITED STATES SUPREME COURT:

Chief Justice John Roberts; Justice Samuel Alito; Justice Bader Ginsberg; Justice Stephen Breyer; Justice Anthony Kennedy; Justice Antonin Scalia; Justice David Souter; Justice John Paul Stevens; Justice Clarence Thomas

Submitted by Anthony P. Keyter – December 4, 2006

INTRODUCTION

Criminal charges are herewith lodged against US Supreme Court Justices: Chief Justice John G. Roberts; Justice Samuel Alito; Justice Bader Ginsberg; Justice Stephen Breyer; Justice Anthony Kennedy; Justice Antonin Scalia; Justice David Souter; Justice John Paul Stevens; Justice Clarence Thomas; - hereafter referred to as the "Justices". The aforementioned Justices are charged with multiple violations of the United States Constitution, and with multiple violations of the criminal code and statutes of the United States.

CRIMINAL CHARGES FILED

The criminal charges filed herewith join, and must be read in conjunction with, the criminal charges already filed with the US Supreme Court in the criminal dossiers: the "Dossier of Crimes", and the dossier titled "State-supported tyranny upon the populace", dated April 14, 2006.

Criminal charges are herewith lodged against the Supreme Court Justices for violation of the following United States Statutes:

1. Conspiracy to commit offense - 18 USC 371
2. Theft or Alteration of Record or Process - 18 USC 1506
3. Conspiracy to Kidnap – 18 USC 1201
4. Tampering with a Witness - 18 USC 1512
5. Misprision of Felony - 18 USC § 4
6. Obstruction of Justice - 18 USC § 1505
7. Accessory after the fact (to the crimes of 377 criminal conspirators) - 18 USC § 3
8. Investigation of Crimes involving Government Officers - 28 USC 535 (b)(1)
9. Conspiracy against Rights – 18 USC 241
10. Deprivation of Rights – 18 USC 242
11. Oath of Office - 28 USC § 453
12. US Constitution – 14th Amendment
13. Federal Rules of Criminal Procedure, Rules 4 & 41
14. Fraud
15. Contempt of Court - 18 USC 401

SUMMARY

The Justices of the United States Supreme Court are well informed of a major criminal conspiracy afoot within the courts and within the government to obstruct the administration of the laws, defeat the course of justice, provide protection to known criminals, and to deny me the Constitutional rights to protection of the laws and ownership of de jure property.

The Justices have vital statutory and judicial duties under law to address criminal violations presented to the court. The Honorable Justices have consistently and willfully neglected to execute their peremptory duties regarding serious and

multiple felonies committed by law-breaking government officials, including high level officials of the present administration.

By their intractable disregard and criminal neglect of their duties, the Justices obstructed and defeated the normal course of justice and impeded the due and proper administration of the laws upon known criminals. The Supreme Court Justices wittingly rendered criminal assistance tc known felons within the government, and aided and abetted them to escape justice and evade apprehension and prosecution. Their ongoing acts, and omissions where action is due, violates the Constitution and the criminal statutes of the United States on multiple counts.

BACKGROUND / FACTS / EVENTS

Justices Kept Informed

Since May 2004, the Justices of the Supreme Court have been kept *fully informed* of a major criminal conspiracy within the government of the United States. The information on the criminal endeavor was provided to them by way of Supreme Court cases and court documents, letters, criminal dossiers, and affidavits and criminal complaints filed in those cases. All the evidence presented to the Justices is available to investigators and prosecutors.

Court cases

Three related Supreme Court cases provided background and sufficient information for the Supreme Court Justices to be fully cognizant of the scope and the depth of the corruption in the courts and in the government surrounding this broad criminal conspiracy. Those cases are:

1. *Anthony P. Keyter vs. George W. Bush,* Supreme Court case no. 05-140;

2. *Anthony P. Keyter vs. 230 Government Officers,* case no. 06-284;
3. *Anthony P. Keyter vs. Maureen E. Keyter,* case number not assigned.

Court documents

Numerous court documents filed in the above three Supreme Court cases provided details and prima facie evidence to the Justices of the ever escalating criminal conspiracy involving more than 400 law-breaking government officers, (this figure as of the time of writing). Various documents in each of these three cases provided the Justices with an insight and details of the corruption and lawless conduct of the criminal conspirators. The documents include Affidavits of Complaining Witness, Criminal Complaints, and Motions for Injunction to protect against ongoing crimes, Motions for Restraining Orders, and Writ Petitions to command delinquent government officers to obey the law. A complete list of the documents supplied to the Justices is available from me and from the US Supreme Court.

Correspondence

The Justices were kept up to date with the crimes committed by government officers in the ongoing and escalating criminal conspiracy by means of 12 letters or statements beginning May 2004. The 12 letters and/or statements are dated: May 10, 2004; July 15, 2004; October 22, 2004; November 24, 2004; December 27, 2004; April 16, 2005; September 22, 2006; October 11, 2006; October 13, 2006; October 18, 2006; November 2, 2006; November 17, 2006.

Criminal Dossiers

Prima facie evidence of the criminal activity of government officers was provided to the Justices in three criminal dossiers comprising some 1700 pages of details and facts. The dossiers are titled the "Dossier of Crimes", Volumes I

and II, and the dossier titled "State Supported Tyranny upon the Populace". Continuous updates of these dossiers have been filed with the Supreme Court Justices on 10 occasions, viz: July 15, 2004; September 20, 04; October 22, 2004; December 27, 2004; April 16, 2005; September 22, 05; February 17, 06; March 10, 06; April 16, 06; and September 2, 06.

The criminal dossiers provided insight into the broad extent of the anarchy within the government and information on the government officers and government institutions who failed to address the crimes presented to them. The Justices were informed that none of the crimes presented in the dossiers had thus been investigated or prosecuted. Rather, the crimes have been concealed in a concerted conspiracy by officials to cover up the lawlessness in the government.

The lawlessness described to the Justices in the dossiers applies to all branches of the nation's administration, viz., the executive, judicial, and the legislative. It covers all levels of government, namely city, county, state, and federal. It includes the very people whose function it is to see to the administration of justice. The dossiers deal with a cover-up of innumerable criminal acts involving numerous officials of government from the most junior police officers, through their police chiefs, to prosecutors, judges, state executives, and ultimately, the US Department of Justice itself.

In total, 1.6 million counts of criminal transgressions by the conspiring officials of United States Government were presented to the Justices of the Supreme Court. These perplexing but meticulously calculated figures rightly indicate a *major* criminal conspiracy brought before the Justices of the Supreme Court for their action.

Serious Nature of the Crimes

The Supreme Court Justices were informed that the criminal acts committed by the conspiring government officers (which, as mentioned, have not been investigated or prosecuted) are of a serious nature. The Justices were informed that the criminal conspiracy is still active and that the crimes are ongoing.

The Justices were further advised that the conspirators have intimidated me and retaliated against me as the primary witness to their crimes. They have tampered with court evidence. There is indeed a grim threat and a high probability of further retaliation against me, including: serious physical harm; incarceration and curtailment of my freedom and personal liberty; a break-in and theft of incriminating documents or removal of incriminating evidence from my home with a phony search warrant corruptly obtained. There has been a foiled plot to inveigle, kidnap, and incarcerate me under fraudulent pretext. Recent evidence of stalking indicates that the conspirators intend to consummate that plot.

Moreover, the Justices were informed that there are many high profile and politically powerful officials amongst the conspirators. Their propensity to malice, and the absolute impunity with which they have violated the laws, is amply demonstrated in the 1700 pages of the criminal dossiers presented to the Justices. When the extent of the legal predicament of the conspirators in the courts is considered, an attempt on my life is a material possibility. It was for these reasons that the protection of the law was sought from the United States Supreme Court Justices by way of urgent injunctions against the conspirators in each of the three cases mentioned above.

Criminal charges were presented to the Justices which included the following grave offenses: Retaliation against a Witness; Tampering with and illegal removal of Court Evidence; Obstruction of Justice; Conspiracy against Rights; Conspiracy to conceal crimes and commit further offenses; Denial of Rights; Misprision of Felony; Coercion; Failure of Duty by Public Officials; Rendering Criminal Assistance; Official Misconduct; Perjury; Fraud; Theft; and False Reports by Public Officials.

The information provided to the Justices points to a cataclysmic failure of the American justice system and government, which has no other term for it but anarchy. It was in the light of this cataclysmic failure of the judicial system and government to deal with criminals in its ranks, that the crimes of the conspiracy were placed before Justices of the Supreme Court in order that they address the criminality in terms of *their* obligations under the law.

Requests to Administer the Laws

On each of the occasions described above, when the Justices were informed of the crimes, they were also requested to address the crimes and apprehend the criminals. These requests were founded upon their legal and judicial duties dictated by the statutes and the Constitution. The relevant statutes were provided to the Justices. The exigency of the requests was commensurate with the magnitude and seriousness of the wave of criminality within the government of the United States. The requests to the Justices to address the crimes are contained in each of the correspondences, Certioraris, motions, criminal dossiers, affidavits, criminal complaints, and documents filed with the court in each of the 3 Supreme Court cases mentioned above. These requests comprise 43 in number.

Peremptory Statutory and Judicial Duties

The Justices of the Supreme Court have peremptory statutory and judicial duties which are vital to the law and order of a peaceable society. Having been presented with evidence of an epidemic of crime, tyranny and anarchy within the government, and evidence of a cataclysmic failure of the judicial system to address that lawlessness, the information provided to the Justices served as an imperative to address the crimes and administer the laws upon the perpetrators. The Justices of the Supreme Court have a solemn duty to act affirmatively in terms of the following laws and court rules:

1. Power of the Courts and Magistrates - 18 USC § 3041
2. Misprision of Felony - Title 18 USC § 4[2];
3. Oath of Office – 28 USC § 453[3]
4. Investigation of Crimes involving Government Officers- Title 28 USC 535 (b)[4];

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18 USC § 3041 This law states: "For any offense against the United States, the offender may, by any justice or judge of the United States, be arrested and imprisoned or released as provided in chapter 207 of this title, as the case may be, for trial before such court of the United States as by law has cognizance of the offense."

[2] 18 USC § 4 States that, "whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States" commits the crime of Misprision of Felony.

[3] 28 USC § 453: States that a judge shall faithfully and impartially discharge and perform all the duties incumbent upon him under the Constitution and laws of the United States.

[4] 28 USC 535 (b) states that any information, allegation, or complaint received in a department or agency of the executive branch of the

5. Federal Rules on Criminal Procedure, Rule 4[5]
6. Federal Rules on Criminal Procedure, Rule 41[6]
7. Other statutes.

Failure of Duties

The Supreme Court Justices willfully and criminally neglected their vital duties. The Justices failed to issue arrest warrants, failed to apprehend the offenders, and failed to administer the law upon the law-breaking government officials.

To date, no arrests have been made; no investigations have taken place; no prosecutions are in court; stolen property has not been returned to me; 'ongoing crimes' have not been terminated; the conspiracy by officials to commit further offenses and conceal the crimes has not been exposed and dealt with. Recent evidence of stalking indicates that the

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government relating to violations of title 18 involving Government Officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, unless (1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of the law.

[5] Federal Rules of Criminal Procedure, Rule 4: Rule 4 (a) states: "If the complaint or one or more affidavits filed with the complaint establishes probable cause to believe an offense has been committed and that the defendant committed it, the judge must issue an arrest warrant to an officer authorized to execute it.

[6] Federal Rules of Criminal Procedure, Rule 41: Rule 41(d)(1) states: " After receiving an affidavit or other information, a magistrate judge [including higher federal court judges] or a judge of a state court of record must issue the warrant if there is probable cause to search and seize a person or property under Rule 41(c). [Rule 41 (c) states: A warrant must be issued for any of the following (1) evidence of a crime.]

conspirators continue to seek an opportunity to consummate their plot to kidnap and incarcerate me under fraudulent pretext. These facts unmistakably point to the continued cover-up of the crimes by the Supreme Court Justices, and to the fact that the Justices willfully omitted to take any action to terminate the criminal conspiracy.

By their failure to bring the criminals to justice, the Supreme Court Justices have conspired to deny me due process and the right to protection of the laws. Through their failure to terminate the criminal conspiracy, the Supreme Court Justices have condoned the crimes and sanctioned further lawlessness. They have rendered criminal assistance to law-breaking government officials to escape prosecution for their misdeeds. The Supreme Court Justices have violated the Constitution, the laws, and their oath of office.

The criminal neglect of duty by the Supreme Court Justices constitutes gross abuse of their position of authority - and shows utter contempt for the honorable institution of the court, for the Constitution and the laws, for the nation and every citizen of the United States.

CRIMES PERPETRATED BY THE SUPREME COURT JUSTICES

The Supreme Court Justices have violated no less than 15 statutes and rules. Details of these violations are provided below. Further evidence will be provided to investigators when investigations commence. These criminal charges must be read in conjunction with the documents filed in the three Supreme Court cases mentioned above, and in conjunction with the criminal conspiracy already detailed in the criminal dossiers.

1. Conspiracy to Commit Offense[7] – 18 USC 371

None of the Supreme Court Justices acted alone in their illegitimate actions. The Justices consulted and conspired with one another to withhold the performance of peremptory duties. They also conspired with the Clerk of the Court and his personnel to remove incriminating evidence from the record; and with the Supreme Court Police who provided a protective umbrella for their combined illegal activities. They further conspired with President Bush (Respondent in case no. 05-140), and with the 230 Government Officers (Respondents in case no. 06-284), and their co-conspirators, in order to assist them to evade criminal prosecution. The Supreme Court Justices colluded with the criminal conduct of the Respondents (and their co-conspirators) by joining with the common objective of the broad criminal conspiracy within the courts and within the government, to obstruct the administration of the laws upon the malfeasant government officers. Through their failure to administer the laws upon the offenders they joined in mutual protection of the conspirators, and of one another.

The willful omission by the Justices to take any action despite the dictates of the law aided and abetted the criminal conspirators in their criminal endeavor to defeat the course of justice. With the aid of the Supreme Court Justices, the conspirators' aim was achieved to keep the crimes concealed from someone in authority *who would address* the felonies. With the assistance of the Supreme Court Justices, the conspirators' objective was achieved to influence, obstruct,

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[7] 18 USC § 371 of the United States Code states that "If two or more persons conspire either to commit any offense against the United States" "and one or more such persons do any act to effect the object of the conspiracy" each is guilty of Conspiracy to Commit Offense.

and impede the due and proper administration of the law, and the due and proper exercise of the power of inquiry. The *cooperative* endeavor between the Justices and the conspirators prevented investigation, apprehension, trial, and punishment. The *cooperative* endeavor between the Justices and the conspirators aided and abetted the conspirators to persist in their crimes against the United States, without fear of retribution.

By these acts the Supreme Court Justices have become an integral and indispensable part of the criminal conspiracy within the government and the courts. They have corruptly lent their considerable power to 'legitimize' the *ongoing criminal endeavors* of the conspirators, and to provide mutual protection from prosecution. The Supreme Court Justices have thereby violated 18 USC § 371 - *Conspiracy to Commit an Offense.*

2. Theft or Alteration of Record or Process[8] - 18 USC 1506

Acting in conspiracy with the Clerk of the Court and co-conspirators, with President Bush and co-conspirators, and under the protective umbrella of the Supreme Court Police, the Supreme Court Justices corruptly removed from the court records, all evidence in the three cases which incriminated any of the 377 known criminal conspirators.

In the Supreme Court case Keyter vs. Bush, 41 out of 47 documents filed in the case were illegally removed from the court records. Details and a list of the evidence removed

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[8] 18 USC §1506 "Whoever feloniously steals, takes away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States, whereby any judgment is reversed, made void, or does not take effect; Shall be fined under this title or imprisoned not more than five years, or both".

from the case Keyter vs. Bush is provided in the criminal dossier "State-supported Tyranny upon the Populace", Chapter 31.1, Appendix 1.

In the case Keyter vs. 230 Government Officers, 4 out of 6 documents filed in the case were illegally removed from the records and were not addressed by the Justices. These documents are an Urgent Motion for Preliminary Injunction; Motion for Joinder; Motion to Disqualify Chief Justice John G. Roberts; and an Affidavit of Complaining Witness / Criminal Complaint.

The case Keyter vs. Keyter has been filed with the court on five separate occasions, and has been corruptly removed on each occasion, together with the criminal dossiers and Motion for Injunction and criminal dossiers filed with the case.

For further details on the corrupt removal of court evidence in these three cases by the Justices and their co-conspirators, refer to Appeal Briefs; Writ Petitions; Motions for Injunction; and the criminal dossiers filed in the three US Supreme Court cases mentioned above. This charge of *Theft of Record* must be read in conjunction with the information supplied in the criminal complaints filed in the dossier "State-supported Tyranny upon the Populace", Chapters 1, and 31-34. Additional evidence is available and will be provided to investigators and/or to the court when investigations commence.

The statute 18 USC 1506 declares the acts of removing any record a felony and contrary to the interests of the state. The acts of the Supreme Court Justices violate 18 USC 1506 - *Theft or Alteration of Record or Process.*

3. Conspiracy to Kidnap[9] – 18 USC 1201(c)

Senior government officials, including President Bush and his co-conspirators, were imminently to be exposed in the Supreme Court and in the public as a result of criminal charges filed against them with the Supreme Court Justices on February 9, 2006 (in case no. 05-140). Criminal prosecution thus became a real and impending threat to the senior government officials implicated in the conspiracy. However, the Supreme Court Justices intervened by forewarning the conspirators, and by withholding their imperative to arrest the conspirators and administer the law upon them. Accordingly, with the shield and sanction of the Justices, these officials embarked upon a criminal endeavor to retaliate against me as civil litigant and as primary witness to their crimes.

As an immediate response to my filing of those criminal charges on February 9, 2006, President Bush and his co-conspirators, and the Supreme Court Justices, co-operated to initiate a plot to inveigle, kidnap, and incarcerate me on false pretext. They conspired to nullify my *legal capacity* to act in the Supreme Court. The plot comprised falsely and maliciously declaring me mentally insane – thereby destroying any legal standing in the courts. In that way, all

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[9] 18 USC 1201 – Kidnapping: In relevant parts: (a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when---(2) any such act against the person is done within the special maritime and territorial jurisdiction of the United States;--- such person shall be punished by imprisonment for any term of years or for life; --- (c) If any two or more persons conspire to violate this section and one or more of such persons do any act to effect the object of the conspiracy, each shall be punished by imprisonment for any term of years or for life.

cases against law-breaking officials could simply be wiped off the slate, in that way ensuring that all 377 known criminal conspirators could evade further civil and criminal prosecution in the courts. The plot called for seizure of my person (kidnap), and forced incarceration in a mental asylum – to be further dealt with from this hapless position at a later stage.

Senior government officials amongst the conspirators employed the assistance of the Boeing Company to execute that plot (by all indications, with huge governmental favors and contracts as a quid pro quo). At the time I was employed by the Boeing Company as a Senior Instructor Pilot, a position I held for 17 years. The conspirators attempted to lure me under deceitful ploy onto secure Boeing premises out of sight of my colleagues and the public, there to seize me, transport me to, and forcefully hold me in, a mental asylum.

Some details of this plot are described in Chapter 1 of the dossier "Tyranny upon the Populace". A considerable amount of details of events and evidence of the kidnap attempt will be provided to investigators once serious investigations commence. (Also refer to Motion to Disqualify Justice Roberts; Motions for Injunction; Criminal Dossiers; Appeal Brief; Affidavits/Criminal Complaints). The attempted plot to kidnap and incarcerate me under false pretext was foiled. A second failed attempt was made with the assistance of the FAA. The initiating and sanctioning role of the Supreme Court Justices and Supreme Court Police in the criminal endeavor is unmistakable from the evidence available to investigators.

The statute 18 USC 1201 considers this conduct a serious criminal act which carries a sentence of life imprisonment.

4. Tampering with a Witness – 18 USC 1512

The conspiracy to kidnap described in paragraph 3 above also violates the statute on Tampering with a Witness - 18 USC 1512.

5. Misprision of Felony[10] - 18 USC § 4

Once the crimes of the Respondents in the cases were made known to the Justices, they had an intrinsic duty in terms of Title 18 USC § 4[4] to administer the law. In patent dereliction of their judicial obligations, the Justices allowed the criminal violations to go unpunished and indeed to continue unimpeded with their full knowledge and tacit consent. Failing to identify a criminal is a crime. The Justices have by their inaction provided protection to the offenders and concealed their crimes. The Justices concealed the crimes of Respondents by failing to take action and they did not '*as soon as possible* make the same known to a person in authority' *who would take action,* action which is peremptory in the context of this law. The criminal neglect of the Justices, despite having knowledge of the commission of felonies, violated Title 18 USC § 4.

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[10] 18 USC § 4 of the United States Code states that, "whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States" is guilty of Misprision of Felony.

6. Obstruction of Justice[11] - 18 USC § 1505

The Justices had the power, the authority, and the duty to administer the law. Rather than doing so, they chose to neglect their duties and to obstruct justice by impeding the due and proper administration of the law. By turning a blind eye and ignoring the crimes of the Respondents and their co-conspirators, the Justices colluded with the criminal conduct of the Respondents, and legitimized their illegal acts. Their mandated legal obligation was clearly to apprehend the offenders. The Justices thus violated Title 18 USC § 1505.

7. Accessory after the Fact[12] – 18 USC 3

Despite being fully aware of the crimes of the Respondents and their co-conspirators, the Justices withheld their crucial judicial functions so as to prevent the apprehension, trial, and punishment of the 377 known conspirators. Providing protection to a criminal is a crime. By failing to apprehend them, the Justices assisted the offenders to evade compliance with the law and face liability for their crimes. By assisting Respondents and their co-conspirators to escape apprehension, trial, and punishment, the Justices violated Title 18 USC § 3 and became accessory after the fact to the crimes of the Respondents and their co-conspirators.

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[11] 18 USC § 1505 of the United States Code states that whoever corruptly "obstructs, or impedes" "the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States" is guilty of Obstruction of Justice.

[12] 18 USC § 3 of the United States Code states that "whoever, knowing that an offense against the United States has been committed" "assists the offender in order to hinder or prevent his apprehension, trial, or punishment, is an accessory after the fact".

8. Investigation of Crimes involving Government Officers[13]

The statute 28 USC 535 (b)(1) clearly lays the onus on the Justices to either do their judicial duties, or failing their duties, to report the violations to the Attorney General. This duty was not accomplished by the Justices and their omission violated 28 USC 535(b).

9. Conspiracy against Rights - 18 USC § 241[14]

In joining with the aims of the conspiracy to deny due process in the courts, obstruct the administration of justice, and prevent 'protection of the laws', the Justices conspired against my Constitutional rights. The Justices conspired against my right to the *protection of those laws* which had been violated by the Respondents.

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[13] 28 USC 535 (b) states that any information, allegation, or complaint received in a department or agency of the executive branch of the government relating to violations of title 18 involving Government Officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, unless (1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of the law.

[14] 18 USC § 241 Conspiracy against rights, states in part: "If two or more persons conspire to ...oppress...any person in any State...in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States...they shall be fined under this title or imprisoned not more than ten years.

10. Deprivation of rights under color of law -18 USC 242[15]

By denying due process and protection of the laws; by failing their judicial duties to prevent and terminate ongoing crimes against me; and by conspiring with the Respondents to commit further offenses against me and the state, the Justices deprived the me of the Constitutional right to protection of the laws, and the right to de jure property which was illegally seized.

11. Oath of Office – 28 USC § 453[16]

In each instance where the laws and the Constitution have been violated, the Justices failed to adhere to their Oath of Office to uphold the Constitution and the laws of the United States. In each instance where they failed to perform their judicial duties, the Justices failed to adhere to their Oath of Office. Instead they violated their solemn pledge (before God) to the people of the United States whom they were elected to serve, and violated 28 USC § 453.

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[15] 18 USC 242 Deprivation of Rights states in part "Whoever, under color of law.... willfully subjects any person in any State... to the deprivation of any rights... secured by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year".

[16] 28 USC § 453: States that a justice shall faithfully and impartially discharge and perform all the duties incumbent upon him under the Constitution and laws of the United States, "so help me God".

12. US Constitution – Fourteenth Amendment[17]

In terms of the Constitution every citizen living in the *United States* has the following two basic rights: that of ownership of lawful property, and of equal protection of the laws. By failing to administer and enforce the laws upon continuing criminal acts- to my detriment - the Justices are on a daily basis withholding from me the protection of the Constitution and the laws.

13. Federal Rules of Criminal Procedure, Rules 4 & 41

The Affidavits of Complaining Witness/Criminal Complaints and other documents filed in the 3 Supreme Court cases mentioned, established strong cause to believe that offenses have been committed against the United States and against me. Rules 4 & 41 of Criminal Procedure provides regulation for the actions of a justice or judge in that situation. Unambiguous cause existed for the Justices to take the necessary steps to arrest the Respondents and their co-conspirators in accordance with Federal Rules. Yet no action has been forthcoming from the Justices pursuant Rules 4 & 41. The Justices have criminally neglected their duty to administer the law. Instead they have protected the Respondents and concealed their crimes.

By willfully neglecting to perform their judicial duties to the United States public, including me, the Justices have aided and abetted the Respondents and their co-conspirators to evade justice. The Justices violated Rules 4 & 41 of Federal Rules of Criminal Procedure.

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[17] US Constitution - Amendment XIV, Section 1 "... nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

14. Fraud

In the case Keyter vs. Bush, case no. 05-140, the Justices ruled on and denied a Petition for Writ of Mandamus, when the document had already been illegally removed from the court. No petition was thus in court on the day of the purported deliberation. Furthermore, the Justices deliberated and denied the Certiorari Petitions in both case numbers 05-140 and 06-284, despite knowing that documents pertinent to the case were corruptly removed from the record.

The clear intent of the Justices was to deny me due process, deny me protection of the Constitution and of the law, and to defraud me of any restitution for the malfeasant acts of the Respondents in those cases. Such ruling was further aimed at illegally providing protection to the Respondents (including President Bush) against liability for crimes committed. The rulings were not an articulation of *justice*, but rather a pernicious political act of fraud.

15. Contempt of Court - 18 USC 401[18]

The Justices have shown contempt for the rules and the laws of court. The Justices have in the presence of the court, and in contempt for its authority, misbehaved in such a manner as to obstruct the administration of justice. The Justices failed to administer the laws upon Respondents who were in breach of the laws. They failed to take any action to compel Respondents to obey the law - an action which was requested in the Complaints.

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[18] Contempt of Court - 18 USC 401 A court of the United States shall have power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as-- (1) Misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice; (2) Misbehavior of any of its officers in their official transactions; (3) Disobedience or resistance to its lawful writ, process, order, rule, decree, or command.

As officers of the court, the Justices have in their official transactions violated the Constitution and the laws of the United States. The Justices have been disobedient to the lawful rules of the courts, and in particular Rule 4 & Rule 41 of the Federal Rules of Criminal Procedure. The Justices have also been disobedient to the laws of the country, and in particular the laws mentioned in these charges. Through their misbehavior and criminal activity, the judges have displayed a contempt of court, in violation of 18 USC 401.

CONCLUSION

The esteemed Justices of the United States Supreme Court have acted in a manner designed not only to protect, but also to aid and abet 377 people who have conspired to commit multiple and serious offences against the United States of America. By their action, and inaction where action was due, the Justices have violated the criminal statutes, the Constitution, and their oath of office on numerous counts. Some of the violations are provided in this document. Investigators and special prosecutors will perforce expose further perfidious conduct by the Justices around this case.

A nation can have no greater shame than to have the custodians of its law and morals fall foul of the very principles that they are the custodians of. The crimes perpetrated by the Justices of the Supreme Court *must* be dealt with decisively by the authorities and by the people of America. This Criminal Complaint serves to initiate that process.

Signed on December 4, 2006.

Anthony Keyter
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APPENDIX 1B

NEW OFFENSES COMMITTED BY 8 SUPREME COURT JUSTICES
May 1, 2007

Further to the charges filed against all 9 sitting Supreme Court Justices on December 4, 2006, new charges and additional counts of previous offenses are detailed below and herewith lodged against 8 Supreme Court Justices with regards to case no. 06-1069. Chief Justice Roberts is excluded as he recused himself from case no. 06-1069.

Violation of Article III, Section 1, of the Constitution – Good Behavior. The United States Constitution, Article III, Section 1, is unambiguous, needs no interpretation, and clearly states: "*...The judges, both of the supreme and inferior courts shall hold their offices during good behavior...*". The Justices of the Supreme Court are clearly not in good behavior as is succinctly presented in the criminal charges lodged against them. These criminal charges were filed with the Supreme Court as well as with several other government institutions responsible for law and order. Pursuant Article III, the Justices had no legal standing to hear this case before the Supreme Court; or to hear any other case for that matter.

Violation of 28USC455 – Disqualification of Judges. Because the Justices have joined with a criminal conspiracy against the Petitioner and the state and are implicated in this case in a criminal way (as presented in Appendix 1), their impartiality must reasonably be questioned. Pursuant 28USC455, the Justices were prohibited from acting as a Judicial Officers in this case - a prohibition the 8 Justices simply ignored, in violation of the statute 28USC455.

Violation of 28USC144 - Recusal of Judges. The Petitioner filed a timely and sufficient motion requesting disqualification and/or recusal because of the obvious personal bias of the Justices in favor of the Respondents. The extent of their bias is demonstrated in their willingness to violate the Constitution and the laws in order to protect the Respondents from civil and criminal prosecution. The motion was simply removed from court records and the request for recusal/disqualification ignored by the 8 Justices, in violation of 28USC144.

Violation of 18USC1513 – Retaliation against a witness. The Justices are complicit in, or accessory to, the attempts to kidnap and murder the Petitioner in retaliation for filing criminal charges in Supreme Court case no. 05-140, a case against President Bush. The plot was instigated by the President and commenced from the US Supreme Court with the collusion of the Justices. Their failure to address this criminal endeavor attests thereto. This malevolent plot is described in broader detail in the criminal dossier *"State-supported Tyranny upon the Populace"*, Chapters 1, and 41-43, and further evidence will be provided to investigators and prosecutors.

ADDITIONAL COUNTS TO EXISTING OFFENSES

The 8 Justices violated the statutes listed below on additional counts - one count for each document stolen and/or each motion they failed to address pursuant their judicial duties in case no. 06-1069:

1. ***Violation of 18USC371 - Conspiracy to commit offense.*** The 8 Justices once more consulted and conspired with one another, with the Court Clerk and his personnel, and with the Supreme Court Police, to remove incriminating evidence from the court record.

(*See* correspondence to the Justices, to the Clerk, and to Supreme Court Police, dated March 27, 2007). They further conspired with the Respondents and their co-conspirators to illegally deny the Certiorari petition in order to assist the Respondents to evade criminal prosecution. Their combined actions violated 18USC371 on an additional count.

2. ***Violation of 18 USC 1506 - Theft or Alteration of Record or Process.*** The following 6 legitimate and pertinent documents were corruptly removed from court records and were not presented for deliberation, thereby altering the due process of law: 1) Petition for Writ of Mandamus; 2) Urgent Motion for Preliminary Injunction; 3) Motion for Due Process of Law; 4) Motion to Disqualify US Supreme Court Justices; 5) Affidavit of Complaining Witness/ Criminal Complaint against Justices; 6) Affidavit of Complaining Witness/ Criminal Complaint against Respondents.

3. The Justices were advised of the theft of record, were presented with a personal copy thereof on March 27, 2007 (as were the Clerk and Supreme Court Police), and were requested to ensure their inclusion on the record, to afford due process of law, and to adjudge the petition and motions. The documents were simply ignored by the Justices and appear nowhere on the records. This theft and alteration of due process by the Justices violated 18USC1506 on 6 additional counts.

4. Misprision of Felony - 18USC4
5. Obstruction of Justice - 18USC1505
6. Accessory after the fact to the multiple crimes of the conspiracy - 18USC3

7. Investigation of Crimes involving Government Officers - 28USC535 (b)(1)
8. Conspiracy against Rights – 18USC241
9. Deprivation of Rights – 18USC242
10. Oath of Office - 28USC453
11. US Constitution – 14th Amendment
12. Federal Rules of Criminal Procedure, Rules 4 & 41
13. Fraud
14. Contempt of Court - 18USC401

APPENDIX 2

APPENDIX OF STATUTES

US Constitution – 14th Amendment, Section 1: States in relevant part: "…. Nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws".

US Constitution – Article III, Section 1: States in relevant part: "The judges, both of the Supreme and inferior courts, shall hold their offices during good behaviour".

18USC3 – Accessory after the fact: States in relevant part: "whoever, knowing that an offense against the United States has been committed" "assists the offender in order to hinder or prevent his apprehension, trial, or punishment, is an accessory after the fact".

18USC4 – Misprision of felony: "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States authority shall be fined under this title or imprisoned not more than three years, or both".

18USC241 - Conspiracy against rights: States in relevant part: "If two or more persons conspire to …oppress…any person in any State…in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States…they shall be fined under this title or imprisoned not more than ten years".

18USC242 - Deprivation of Rights: States in relevant part "Whoever, under color of law.... willfully subjects any person in any State... to the deprivation of any rights... secured by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year".

18USC371 – Conspiracy to Commit Offense: States in relevant part: "If two or more persons conspire either to commit any offense against the United States" "and one or more such persons do any act to effect the object of the conspiracy" each is guilty of Conspiracy to Commit Offense".

18USC1201 – Kidnapping: In relevant parts: (a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when---(2) any such act against the person is done within the special maritime and territorial jurisdiction of the United States;---such person shall be punished by imprisonment for any term of years or for life; --- (c) If any two or more persons conspire to violate this section and one or more of such persons do any act to effect the object of the conspiracy, each shall be punished by imprisonment for any term of years or for life.

18USC1505 - Obstruction of Justice: States in relevant part: "Whoever corruptly... ....influences, obstructs, or impedes ....the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States... shall be fined under this title, imprisoned not more than 5 years..."

18USC1506 – Theft or Alteration of Record or Process: States in relevant part: "Whoever feloniously steals, takes

away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States, whereby any judgment is reversed, made void, or does not take effect...; -- Shall be fined under this title or imprisoned not more than five years, or both".

18USC3041 – Power of Courts and Magistrates: States in relevant part: "for any offense against the United States, the offender may, by any justice or judge of the United States ... be arrested and imprisoned".

18USC401 - Contempt of Court: "A court of the United States shall have power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as-- (1) Misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice; (2) Misbehavior of any of its officers in their official transactions; (3) Disobedience or resistance to its lawful writ, process, order, rule, decree, or command".

28 USC § 453: States that a judge shall faithfully and impartially discharge and perform all the duties incumbent upon him under the Constitution and laws of the United States.

28 USC 455 – Disqualification of a Judge: "(a) Any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."

28 USC 535 (b) – Investigation of Crimes Involving Government Officers: States: "Any information, allegation, or complaint received in a department or agency of the executive branch of the government relating to violations of title 18 involving Government Officers and employees shall be expeditiously reported to the Attorney General by the head

of the department or agency, unless (1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of the law;"

28USC1254: "Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods: **(a)** By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree; **(b)** By certification at any time by a court of appeals of any question of law in any civil or criminal case as to which instructions are desired, and upon such certification the Supreme Court may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy."

28USC1651(a): "The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law."

Federal Rules of Criminal Procedure, Rule 4. - Rule 4 (a) states: "If the complaint or one or more affidavits filed with the complaint establishes probable cause to believe an offense has been committed and that the defendant committed it, the judge must issue an arrest warrant to an officer authorized to execute it. Rule 4 (c) states: Such warrant must "command that the defendant be arrested and brought without unnecessary delay before a judge".

Federal Rules of Criminal Procedure, Rule 41- "After receiving an affidavit or other information, a magistrate judge or a judge of a state court must issue the warrant if there is probable cause to search and seize a person or property under Rule 41(c)". [Rule 41(c) – Evidence of a crime.]

CERTIFICATE OF PRO SE PARTY ON REHEARING

I, ANTHONY P. KEYTER, HEREWITH CERTIFY that the Petition for Rehearing is restricted to the grounds for rehearing permissible by Rule 44(2) of the Supreme Court Rules, and that the Petition is presented in good faith and not for delay.

Dated: May 1, 2007

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